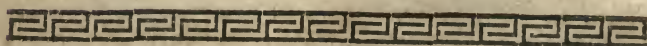


*Autumn
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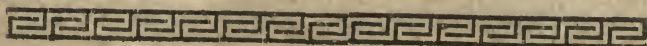
JOURNAL

OF THE

HONORABLE SENATE,

NOVEMBER SESSION,

1820.



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JOURNAL
OF THE
HONORABLE SENATE

OF THE
State of New-Hampshire,
AT THEIR SESSION,
BEGUN AND HOLDEN AT CONCORD,
ON THE THIRD WEDNESDAY OF NOVEMBER,
ANNO DOMINI, 1820.

—♦—
PUBLISHED BY AUTHORITY.
—♦—

CONCORD:
PRINTED BY HILL AND MOORE,
FOR THE STATE.
1821.

JOURNAL
OF THE
HONORABLE SENATE.

WEDNESDAY, NOVEMBER 15, 1820.

THE General Court of New-Hampshire having at their last session been adjourned to this day, at Concord, the following members of the Senate attended and took their seats.

From District No. 1, Hon. George Long.

No. 2, " John Brodhead.

No. 3, " John Gould.

No. 4, " Isaac Hill.

No. 5, " Nehemiah Eastman.

No. 6, " Daniel Hoit.

No. 7, " Benjamin Pool.

No. 8, " Jona. Harvey, (Pres't.)

No. 9, " Elijah Belding.

No. 10, " Thomas C. Drew.

No. 11,

No. 12,

Constituting a quorum.

William Claggett, Clerk ; Edward B. Nealley,
Assistant-Clerk.

Ordered, that the Clerk inform the House of Representatives that a quorum of the Senate is assembled and ready to proceed to business.

A message was communicated from the House of Representatives, by Mr. Davenport, informing the honorable Senate that a quorum of the House of Representatives is assembled and ready to proceed to business.

A vote of the House of Representatives, for a committee to wait on his Excellency the Governor and inform him that quorums of both branches of the Legislature are assembled and ready to receive any communications he may please to make — was brought up, read and concurred; and

Mr. Eastman joined.

Mr. Sparhawk, the Secretary of State, came in and delivered to the President, from his Excellency the Governor, the following

MESSAGE :

*Gentlemen of the Senate and
House of Representatives,*

IT became the duty of the Legislature, at its annual session in June last, to direct the mode by which the Electors of a President and Vice-President of the United States, for the official term commencing on the fourth day of March next, should be designated. A selection by general suffrage, as that most congenial to the spirit of our government, was adopted, and rendered a second session

of the Legislature at this time necessary. This decision led to an abridgment of the length of that session, by a reference to this, of several of the most important subjects which had engaged your attention, and were supposed to require the enactment of laws. The time, thus afforded for their more mature consideration, enables you to return to their investigation with increased means of arriving at correct results, as to the measures which the public good requires in relation to them.

The measures preparatory to the making a new valuation of rateable estate, and establishing anew the proportions of the public taxes, to be contributed by the several towns and unincorporated districts within this State, have been, it is believed, so far completed, as to furnish the facts necessary to the legislative proceedings required. This subject will require a patient investigation, conducted with that candor, which, discarding all local and selfish motives, will keep steadily in view, as its chief object, an impartial equalization of the public burdens upon the several parts of the State, and the different interests of its inhabitants. Government has its origin in the desire to ob-

tain security for the person and property of the individual. Its exertions are chiefly directed to the attainment of this end, and justice requires, that the expenses incident to it, should be defrayed at the joint charge of the interests protected. The proportions in which this contribution should be made, and the descriptions of persons and property from which it should be drawn, admit of no universally determinate rule, but must be ascertained by an enlightened view of general and individual interests, and of the circumstances under which the latter should yield to the former. The principle that individual must yield to general interests, when either the safety or the prosperity of the society requires it, has its foundation in the nature and objects of government, and is the basis of all sound policy in legislation.

Taxation, when judiciously conducted, will keep in view not merely the object of raising a revenue, but through it, that of promoting objects conducive to general prosperity, and depressing such as are subversive of it. In raising taxes for the support of government, a correct application of these principles may require the partial or total exoneration of property so situated, as to be wholly unproduc-

tive, or so vested, and appropriated, as to be peculiarly advantageous to the general interests of the society, without being proportionately so to its proprietor. Taxes assessed in conformity to these views, will afford encouragement to such domestic manufactures as are capable of yielding permanent general benefits. An exemption from taxation of the capital employed in the production of the raw materials of such manufactures, or of that employed in bringing such materials to the manufactured state, will conduce to this end.

In what cases and to what extent the encouragement of domestic manufactures by government will contribute to the general interest of the country, involves questions of much difficulty. It is to be expected that a difference of opinion respecting them will be frequently found amongst the honest and the enlightened, and that prejudices resulting from personal, professional and local interests, will often interpose a pernicious influence on public opinion respecting them. It is undeniable, that great caution should be exercised by governments, in their endeavors to give a specific direction to the la-

ber and capital of their citizens. Laws made with this view, have sometimes done injury to the objects they were intended to benefit, and have frequently proved injurious to more important interests in a degree far beyond the benefits conferred upon the less important. If the favorable tendency of such interference be in any considerable degree doubtful, reason and experience both admonish legislators to refrain.

General rules, which should require a government to give indiscriminate aid to all manufactures, or withhold it from all, can have no foundation in sound national policy. Careful and well digested views of the present situation and circumstances of a country, with a sober estimate of its future prospects, taken in connexion with like views of those countries with which it has or may have commercial connexions, and the conduct of such nations in encouraging or discouraging those branches of its industry, to which its situation and circumstances are best adapted, furnish the only sound rules by which a legislature can be guided on this subject.

The natural course of events in a country progressing in improvement, wealth and

capital, must, at some period, give an establishment to all the most useful manufactures for which it is capable of producing the raw materials, through the operation of mere private interest, without any direct aid from its government. This will take place whenever such manufactures afford greater profit to capital than other employments, in which it can be vested, and it will happen no earlier unless aided by the government. This aid, whether open or disguised, whether in the shape of bounties, exemption from taxes, or duties upon the importation of similar foreign manufactures, must generally be made at the temporary or permanent expense of some or all other branches of the national industry. It should therefore never be given until it is ascertained with reasonable certainty, that the country will directly or indirectly derive from the establishment of such manufactures, advantages sufficient to compensate the loss to be previously sustained. In a country like the United States, where lands are cheap, the wages of labor, and the profits of capital, generally high, the manufactures which can be expected to afford such compensation in return for the aid of government in giving them an establish-

ment, will be few, and confined chiefly to those which are connected with national defence, or attended with circumstances peculiarly propitious to their success. Such is the case where the country possesses the capacity to produce cheaply, and in abundance, the raw material of the manufacture, where the increased demand for the raw material will extensively stimulate agricultural industry, where the products of the manufacture are essentially necessary to the comfort of the great mass of the people, and will necessarily find an extensive and steady home market, where the substitution of labor saving machinery for manual labor, will, in some considerable degree obviate the disadvantage of high wages, and where the most improved machinery and the necessary skill, are already possessed or easily attainable. A system of encouragement to manufactures founded on these principles would, it is believed, ensure a great increase of national prosperity. It would embrace the efficient protection of manufactures connected with national defence, of those branches of the woollen and cotton manufactures, whose products are in general use, and of such branches of other manufactures as clearly fall within the

same principle. These branches of the woollen and cotton manufactures seem to combine in their favor all those circumstances, which, in the present situation of our country, designate their early and complete establishment as essential to the general prosperity. They are so far connected with national defence, that whilst dependant on other countries for our principal supplies, a war with such countries, or with any powerful maritime state, must occasion general suffering, a more expensive and less efficient defence. The raw materials may be produced from our own soil in almost unlimited abundance, and cheaper than they can be obtained by those countries from which we receive our manufactured supplies. An increased encouragement to their production, by affording them a steady and extensive home market, would give a powerful stimulus to agricultural industry, through every section of the United States.

In these manufactures the extensive use of labor saving machinery obviates in a great degree the disadvantage of high wages, and much of the manual labor necessary might and would be performed by those who do not now find profitable employment. The re-

quisite skill and machinery are already possessed, or attainable without difficulty. Aided by so many important advantages, it cannot reasonably be doubted, that these manufactures, sustained by a temporary support from the government, would obtain an early establishment, be competent to supply the home market, and yield great and permanent national benefits. Without this aid, they may long struggle with their present embarrassments, before the unassisted exertions arising from private interest will give them an ascendancy.

The policy which would rely exclusively upon the influence of private interest to promote the public good by the introduction of manufacturing industry, however great are the names of those who have advocated it, or specious the arguments used in its support, cannot be sustained either by sound reason or experience. Private interest, in giving direction to labor and capital, looks only to individual, and chiefly to immediate profit; prospects of advantage to the future interest of the country, however great, do not enter into its calculations.

The advantages which must result to the agricultural interests of a country from the

establishment of extensive manufactures, from materials of domestic production, to supply the home market, such, for example, as those from wool and cotton, or the benefits afforded by presenting an useful employment to a considerable portion of the population destitute of it, would afford no inducement to the capitalist to embark in those manufactures; but they would afford to the enlightened legislator the strongest motives to give those manufactures a temporary aid to secure their permanent establishment. The capitalist cannot be expected, from patriotic motives, to embark his capital in a manufacture, in which he must incur a present loss or obtain a smaller profit than that afforded by other employments, however certain might be the prospects, that, after the lapse of a few years, such manufacture would afford a permanent profit equal to that of other branches of industry, and that it would also produce the greatest national benefits, because the present loss must be entirely his own, whilst he individually might never realize the future advantages. But a legislator would exhibit no evidence of wisdom, who could hesitate to acquire for his country, great, extensive and permanent, future bene-

fits by subjecting it to an inconsiderable present loss or inconvenience.

These considerations apply only to such manufactures, as are connected with national defence, with high national interest, or such as by a temporary aid from the government would effect for themselves a permanent establishment, enabling them to contend successfully with foreign manufactures, coming in competition with them, assisted only by such duties upon the foreign, as a just view to national revenue alone would impose.

No policy can be more obviously unsound, than that of creating manufactures unconnected with national defence, or important national interests, at the public expense, to be permanently supported by the same means. However disguised such procedure might be, it would be, in its effects, the imposition of a perpetual tax upon the productive branches of national industry, to be applied to the support of an unproductive one.

It is undoubtedly the duty of government, to extend its care and protection to every species of useful industry in proportion to the advantages, which they are respectively

capable of affording to the general interest. In attempting to effect this, it should cautiously abstain from bestowing favors on one branch of industry, which must necessarily result in injuries as great to others equally deserving its protection. Whilst it seeks to establish such manufactures, as may conduce to national prosperity, it should not be unmindful of other important general interests. Commerce, which contributes to the success of agriculture, to improvement in the arts and to national defence, should not be forgotten, nor her interests sacrificed to premature attempts to build up such manufactures as the present situation and circumstances of our country forbid attempting with reasonable hopes of success.—Whilst manufactures equally with commerce experience the impartial care of the government, it should be continually borne in mind, that agriculture is emphatically the foundation of our national prosperity, and that whether viewed in reference to the amount of capital invested in it, the number of persons to whom it gives employment and subsistence, or its tendency to give stability and permanency to our institutions, it will be found to possess indisputable claims, to be regarded

as the paramount interest of our country. The comparative value of other interests, must be estimated chiefly by the advantages agriculture derives from them.

The powers of the National Legislature alone are adequate to the support and protection of these great national interests, but such subsidiary aids as the State governments are competent to afford, should not be withheld.

These, as it regards manufactures, should in this State be directed chiefly to those of the household kind. Whatever doubt or difference of opinion may exist, as to the encouragement which ought to be extended to manufactures generally, there can be but one opinion, as to the importance to the people of New-Hampshire of their household manufactures, especially those from wool and cotton, or of the propriety of extending suitable encouragement to them.

They afford employment, health and happiness to many, who, but for them, would waste their time in idleness, or less useful employments. They aid agricultural industry, by giving an increased value to the productions of the soil. They tend to relieve

us gradually, and it is to be hoped by such aid as may be afforded by the measures of Congress, will, at no distant period relieve us entirely, from a disgraceful dependance on foreign nations for the clothing essential to our comfort.

The encouragement of manufactures, by an exemption from taxation of the capital employed in, or connected with them, is not unknown to our laws. It is found in the exemption of sheep from taxation, and in statutes exempting capitals employed in the woollen and cotton manufactures from taxation for limited terms of years.

It is believed, that it will be your desire to limit the expenses of the government by rendering the present session as short, as may be consistent with the public welfare. Under this impression, I omit to ask your attention to other subjects of general legislation. None indeed of this description of great magnitude requiring immediate attention, have occurred to me.

It has been our happiness, that those to whom the people have delegated the legislative power in time past, have discharged their duty with such intelligence and fidelity

ty, that it may be said with truth, that our private rights and public interests in general are as effectually secured and protected by the laws, as such rights have ever been in any age or country.

SAMUEL BELL.

Concord, Nov. 15, 1820.

Ordered, that the Clerk of the Senate procure one hundred printed copies of his Excellency's Message, this day communicated, and lay the same before the Senate as soon as may be.

Adjourned to three o'clock in the afternoon.

Met according to adjournment.

A vote, for a committee to mark and distribute the Journals of the honorable Senate and House of Representatives, at their session in June last, as has been heretofore practised,

Was brought up, read and concurred, and

Mr. Hoit joined.

Voted, that Mr. Broadhead, with such as the House of Representatives may join, be a committee to procure a suitable person to officiate as chaplain during the present session.

Sent down for concurrence.

Voted, that Messrs. Eastman, Hill and Pool, be a committee to enquire if any vacancies have occurred in the Senate since the last session, and that they report thereon.

Voted, that Messrs. Hoit, Belding and Gould, with such as the House of Representatives may join, be a committee to receive from the Secretary the inventories from the several towns in this state, and to equalize them for making a new apportionment of public taxes, and that they report thereon.

Sent down for concurrence.

Adjourned to nine o'clock to-morrow morning.

THURSDAY, NOVEMBER 16, 1820.

Met according to adjournment.

Present as yesterday.

Hon. John Dame from District No. 11, appeared and took his seat.

The committee appointed to enquire if any vacancies have occurred in the Senate since the last session of the Legislature, reported that they have ascertained that one vacancy has occurred in the Senate by the removal of the Hon. Dan Young who represented District No. 12, from the state since the last session of the legislature.

NEHEMIAH EASTMAN,

for the Committee.

Which report was accepted.

Voted, that Messrs. Eastman, Long and Hill be a committee to wait on his Excellency the Governor and inform him that a vacancy has occurred in the Senate in consequence of the honorable Dan Young, who represented Senatorial District

No. 12, having removed from the state since the last session of the Legislature, and that they request his Excellency to give information to the Senate of the state of the voters for Senators in said District at the last annual election.

The committee appointed to wait on his Excellency the Governor, and inform him that a vacancy has occurred in the Senate by the removal of the honorable Dan Young, who represented the Senatorial District No. 12, from the State since the last session of the Legislature, and request him to give information to the Senate of the state of the votes for Senators in said District, at the last annual election, reported that they have attended to the duty assigned assigned them, and that his Excellency the Governor informed them that he would give the statement required without delay.

NEHEMIAH EASTMAN,

for the Committee.

Which report was accepted.

His Excellency the Governor communicated by the Secretary of State the following statement of the votes legally returned for a Senator for the twelfth Senatorial District in the year 1820.

For the Hon. Dan Young	1767 votes,
Moses P. Payson	1038
Abel Merrill	51
Adino N. Bracket	10
Samuel Hutchins	4
Stephen P. Webster	1
Abraham G. Britton	1
Total number	<hr/> 2872

Voted, that a message be sent to the House of Representatives informing them that the Senate have ascertained by their committee that a vacancy has occurred in Senatorial District No. 12 occasioned by the removal from the State of the honorable Dan Young; that by a communication made to the Senate by the Secretary from his Excellency the Governor, it appears that Moses P. Payson, having one thousand and thirty-eight votes, and Abel Merrill, having fifty-one votes, are the constitutional candidates; and that the Senate will meet the House of Representatives in convention, whenever it shall be their pleasure, to choose a Senator for District No. 12.

Voted, that the Governor's Message, communicated yesterday, be referred to a committee consisting of Messrs. Eastman, Dame and Drew, whose duty it shall be to report references of the same to the several standing committees and others as may to them seem expedient.

A message was communicated by Mr. Pierce from the House of Representatives, informing that the House of Representatives were ready to meet the honorable Senate in convention, to proceed in the elections, agreeably to the requirements of the constitution.

The Senate and House of Representatives being met in convention, the chairman of the convention read the statement of the votes for Senators in the Senatorial District No. 12, by which it appeared that the votes were for Moses Paul Pay-

son 1038, and for Abel Merrill 51; that in said District said Moses P. Payson and said Abel Merrill are the two highest constitutional candidates.

On motion, proceeded by ballot to fill the vacancy in said District No. 12, and the honorable Abel Merrill was elected.

The convention then rose, and the Senate returned to their chamber.

Voted, that the President of the Senate communicate information as soon as may be to the honorable Abel Merrill of his election as Senator for District No. 12.

Adjourned to three o'clock in the afternoon.

Met according to adjournment.

A communication was this afternoon received from William Clagget, Clerk of the Senate, stating that after this week it will be inconvenient for him to attend to the duties of his appointment as Clerk of the Senate, and requesting that the honorable Senate will appoint another person in his place on Saturday next, and that he may be excused from the further discharge of the duties of Clerk after that time.

Voted, that said communication from said William Claggett be accepted as the resignation of his appointment as Clerk of the Senate after Saturday next.

Voted, that Mr. Long supply the vacancy occasioned by the removal out of the State of Mr.

Young, on the standing committee to whom shall be referred all petitions for acts of incorporation.

Voted, that Mr. Hoit be discharged from further duty on the standing committee to whom shall be referred all matters relating to the militia except military accounts.

Voted, that the vacancy occasioned by Mr. Hoit being discharged from further duty on the standing committee to whom shall be referred all matters relating to the militia except military accounts, be now filled.

Voted, that Mr. Dame supply the vacancy on said last mentioned committee.

Proceeded to ballot for the choice of an Assistant Clerk, Edward B. Nealley, esquire, having resigned his appointment as assistant Clerk yesterday, and Philip Carrigain, esquire was elected to that office.

On motion of Mr. Drew,

Voted, that Messrs. Drew, Broadhead and Pool be a committee to take into consideration so much of the law of this State as relates to the taking of unlawful interest, and that they report thereon, by bill or otherwise.

Voted, that Messrs. Eastman, Long and Hill be a committee to wait on his Excellency the Governor, and inform him of the election of the honorable Abel Merrill as Senator for District No. 12.

Adjourned to nine o'clock to-morrow morning.

FRIDAY, NOVEMBER 17, 1820.

Met according to adjournment.

Present as yesterday.

Philip Carrigain, esquire, appeared and was sworn to the faithful discharge of his duty as Assistant Clerk of the Senate.

The committee appointed to report references of the Governor's Message to the several standing committees and others as to them may seem expedient, reported that so much of his Excellency's communication as relates to the unfinished business of the last session of the Legislature be referred to a select committee, whose duty it shall be to report thereon a statement of all such important subjects as in their opinion may require the enactments of laws at this time; that so much thereof as relates to the making a new valuation of rateable estate, and establishing anew the proportion of public taxes, be referred to the standing committee already raised on the same subject; and that so much of the same as relates to the encouragement of domestic manufactures by government, be referred to a select committee. Which is submitted by **NEHEMIAH EASTMAN**,
for the committee.

Which report was accepted.

In Senate, November 17, 1820.

Voted, that Messrs. Eastman, Dame and Pool be a committee to consider so much of his Excellency's communication as relates to the unfinished

business of the last session of the Legislature, and that they report thereon.

Voted, that Messrs. Long, Drew and Hill, be a committee to take into consideration so much of his Excellency's communication as relates to the encouragement of domestic manufactures by government, and that they report thereon.

Voted, that so much of his Excellency's communication as relates to the making a new valuation of rateable estate, and establishing anew the proportion of public taxes, be referred to the committee appointed to receive from the Secretary the returns from the several towns in this State to equalize the same for the apportionment of public taxes aforesaid, and that they report thereon.

Mr. Brodhead presented the memorial of William Plumer against Banks, which was read.

Voted, that Messrs. Brodhead, Eastman and Belding be a committee to take into consideration the memorial of William Plumer against Banks, and that they report thereon.

Adjourned to three o'clock in the afternoon.

Met according to adjournment.

The following message from the House of Representatives was communicated by Mr. Bartlett :

That it appears from the Journals, both of the House and Senate, that on the twenty-second day of June last, a joint committee was appointed; that is, Messrs. John Stevens, Whipple and Bowers of

the House, and Young of the Senate, to wait on the Rev. Thomas Beede and request his attendance as chaplain to the Legislature during the next session—that the members of that committee, on the part of the House, have reported that the committee did discharge the duties of their appointment, and that the Rev. Mr. Beede consented to attend—that prayers will accordingly be made in the Representatives Chamber at ten o'clock each morning, and that the honorable Senate are respectfully requested to attend.

The committee on the memorial of William Plumer against Banks requested to be discharged from the further consideration thereof.

Voted, that the committee appointed to take into consideration the said memorial of William Plumer be discharged from the further consideration thereof.

Voted, that during the present session, the Senate when they adjourn, adjourn to ten o'clock in the morning, unless otherwise specially ordered, and that the several standing committees attend to their duty one hour previous to the time to which the Senate is adjourned.

Adjourned to ten o'clock to-morrow morning.

SATURDAY, NOVEMBER 13, 1820.

Met according to adjournment.

Present as yesterday.

Proceeded to ballot for the choice of a Clerk,

and Philip Carrigain, esquire, was elected to that office, William Clagget, esquire, having this day resigned his office as Clerk.

Proceeded to ballot for the choice of an Assistant Clerk of the Senate, and Richard Bartlett, esquire was elected to that office, Philip Carrigain, esquire having this day resigned his office as Assistant Clerk.

The committee on the unfinished business of the last session of the Legislature reported in part, that the several subjects hereinafter named were partially acted upon at the last session, and the further consideration of them postponed to this—that is to say—the appointment of a suitable person to preach the next election sermon; so much of his Excellency's message as relates to the suppression of intemperance; so much of said communication as relates to the administration of justice; so much of the same as relates to paupers; so much of the laws of this State as relates to the punishment of crimes; and a bill entitled an act in addition to an act entitled an act altering the jurisdictional powers of the courts of law in certain cases, and for limiting the right of review, passed June 29, 1818.

All which is respectfully submitted by

NEHEMIAH EASTMAN,

for the committee.

Which report was accepted.

Voted, that Mr. Brodhead, with such as the House of Representatives may join, be a committee to nominate a suitable person to preach the next election sermon.

Voted, that Messrs. Hill, Hoit and Gould be a committee to take into consideration so much of his Excellency's communication of June last as relates to the suppression of intemperance, and that they report thereon.

Voted, that Messrs. Eastman, Drew and Belding be a committee to take into consideration so much of his Excellency's communication as relates to the administration of justice, and a bill entitled an act in addition to an act entitled an act altering the jurisdictional powers of the courts of law in certain cases, and for limiting the right of review, passed June 29, 1818, and that they report thereon.

Voted, that Messrs. Dame, Pool and Gould be a committee to take into consideration so much of his Excellency's communication as relates to paupers, and that they report thereon.

Voted, that Messrs. Long, Hoit and Belding, be a committee to take into consideration the laws of this State relative to the punishment of crimes, and that they report thereon.

Philip Carrigain, esquire, appeared and was sworn to the faithful discharge of his duty as Clerk of the Senate.

Richard Bartlett, esquire, appeared and was sworn to the faithful discharge of his duty as Assistant Clerk of the Senate.

Voted, that the account of William Claggett for preparing and recording the Journals of the proceedings of the honorable Senate, &c. and a resolve of the House of Representatives accompanying the same, allowing him one hundred and sixty-nine dollars and thirty cents in full of his account, be referred to the standing committee on printers' and other accounts except military, and that they report thereon.

The committee appointed to take into consideration the account of William Claggett and a resolve of the House of Representatives allowing him one hundred and sixty-nine dollars and thirty cents in full thereof, reported the same without amendment.

Which report was accepted and the resolve read and concurred.

Presented.

Adjourned to Monday next at half past two o'clock in the afternoon.

MONDAY, NOVEMBER, 20, 1820.

Met according to adjournment.

Present as on Saturday.

The honorable Abel Merrill, chosen by the Legislature a Senator for District No. 12, in conse-

quence of the vacancy occasioned by the removal of the honorable Dan Young from the State, was introduced by Mr. Sparhawk, the Secretary, and took his seat in the Senate.

Voted, that Messrs. Hill, Eastman and Dame be a committee on engrossed bills during the present session.

Voted, that Messrs. Brodhead, Hill and Eastman be a committee to take into consideration a bill entitled an act in addition to an act entitled an act for the better observation of the Lord's day.

Voted, that Messrs. Drew, Brodhead and Pool be a committee to take into consideration so much of the law of this State as relates to the taking of unlawful interest, and that they report thereon by bill or otherwise.

Voted, that the petition of Amos Goodhue and others and a bill from the House of Representatives accompanying the same, entitled an act to incorporate the Hampton Falls Engine Company, be referred to the standing committee on petitions for acts of incorporation, and that they report thereon.

Voted, that the petition of Jonathan Hanson, jun. and others, praying to be incorporated into a society by the name of the Charitable Fire Society, and a bill from the House of Representatives accompanying the same, be referred to the standing committee on petitions for acts of incorporation, and that they report thereon.

Voted, that the petition of the officers and members of the Rockingham Lodge, praying for an act of incorporation, and a bill from the House of Representatives accompanying the same, be referred to the standing committee on petitions for acts of incorporation, and that they report thereon.

Mr. Drew obtained leave and presented a bill entitled an act in addition to an act for the limitation of actions, and for the preventing of vexatious suits, which was read, and the second reading assigned for to-morrow at ten o'clock, A. M.

Adjourned to ten o'clock, A. M. to-morrow.

TUESDAY, NOVEMBER 21, 1820.

Met according to adjournment.

Present as yesterday.

The committee appointed to consider and report on the unfinished business of the last session reported further, that the consideration of the subject which was brought before the Legislature of the last session by a communication from his Excellency the Governor relative to the erection of the State House was postponed to this ; and that the subject of the revision of the probate laws of the State, which was committed to a committee the last session, was not then acted upon.

Submitted by NEHEMIAH EASTMAN,
for the Committee.

Voted, that Mr. Drew, with such as the House of Representatives may join, be a committee to consider and report on so much of his Excellency's communication as relates to the erection of the State House ; the consideration of which was postponed from the last to the present session.

Sent down for concurrence.

Voted, that Mr. Hill, with such as the House of Representatives may join, be a committee to nominate a committee to revise the probate laws of this State : the subject having been recommended by his Excellency the Governor to the attention of the Legislature at the last session.

Sent down for concurrence.

Voted, that the bill entitled an act in addition to an act entitled an act for the limitation of actions, and for preventing vexatious suits be referred to Messrs. Drew, Eastman and Merrill, who are to take the same into consideration, and report thereon.

The committee to whom was referred the bill entitled " an act in addition to an act entitled an act for the better observation of the Lord's day," reported the same with amendments.

On motion of Mr. Drew, a committee was raised to take into consideration so much of the law of this State as relates to the taking of bail in civil causes, and to report thereon by bill or otherwise, and Messrs. Drew, Brodhead and Pool were appointed.

Adjourned to half past two o'clock this afternoon.

Met according to adjournment.

Voted, that the bill entitled an act in addition to and in amendment of an act, passed June 1820, granting additional powers to the court of probate, and for the regulation of trustees and guardians, be committed to Messrs. Dame, Eastman and Brodhead, and that they report thereon.

The committee to whom was referred the bill entitled an act in addition to an act, &c. granting additional powers to the courts of probate, &c. &c. reported the same with amendments, which was accepted, and three o'clock to-morrow afternoon assigned for the second reading of the same.

Mr. Hill offered the following resolution for the consideration of the Senate:—

STATE OF NEW-HAMPSHIRE.

In Senate, November 21, 1820.

Resolved, that the Senators in Congress from this State be instructed, and the Representatives in Congress be requested, to exert their influence to effect a reduction of the pay of the members of that body to six dollars per day, and to the same amount for each twenty miles travel to and from the place of sitting.

Resolved, that his Excellency the Governor be requested to forward a copy of the above resolution to each of the Senators and Representatives from this State in the Congress of the United States.

Adjourned to ten o'clock to-morrow morning.

WEDNESDAY, NOVEMBER 22, 1820.

Met according to adjournment.

Present as yesterday.

The standing committee on acts of incorporation, to whom was referred the petition of Amos Goodhue and others for an act of incorporation for an Engine Company, and a bill from the House of Representatives accompanying the same, and the petition of Jonathan Hanson, junior, and others, for the incorporation of a Charitable Fire Society, and the bill from the House of Representatives accompanying the same, and the petition of the officers and members of the Rockingham Lodge, and the bill from the House of Representatives accompanying the same, reported the said bills without amendment—which report was accepted, and the third reading of said bills assigned for three o'clock this afternoon.

The bill entitled an act in addition to and in amendment of an act, granting additional powers to the courts of probate, and for the regulation of trustees and guardians, was read a third time, passed, and sent down for concurrence.

The bill entitled, “an act in addition to an act entitled an act in addition to an act for the better observation of the Lord’s day,” was read a third time passed, and sent down for concurrence.

The committee appointed to take into consideration so much of the law of this State as relates to the taking of unlawful interest, reported a bill, which was read for the first time, and ordered to lie on the table.

Messrs. Drew, Eastman and Merrill were appointed a committee to take into consideration a bill, entitled an act in addition to an act entitled an act for the limitation of actions, and for preventing vexatious suits, who reported the same with an amendment.

Which report was accepted.

Adjourned to three o'clock in the afternoon.

Met according to adjournment.

The resolutions introduced by Mr. Hill, for instructing our Senators and requesting our Representatives in Congress to exert their influence to effect a reduction of the pay of the members of that body, passed, and was sent down for concurrence.

A vote of the House of Representatives that so much of the report of the committee on unfinished business as relates to the expediency of amending the law of this State, relative to the mode of valuing polls and rateable estate in the assessment of direct taxes, be referred to the committee appointed to equalize the inventories, and that they report thereon, was brought up read and concurred.

Voted, that the account of the selectmen of Jefferson, and a resolve of the House of Representatives accompanying the same, be referred to the standing committee on printers' and other accounts except military, and that they report thereon.

Voted, that the account of the selectmen of Canaan, and a resolve of the House of Representatives accompanying the same, be referred to the standing committee on printers' and other accounts except military, and that they report thereon.

On motion of Mr. Eastman,

Voted, that Messrs. Eastman, Hill and Brodhead be a committee to wait upon his Excellency the Governor, and to enquire whether his Excellency has obtained the opinion of the judges of the superior court, in the case proposed in a resolve passed the Legislature June 22d, 1820, relative to the exclusive right of keeping a ferry over a certain part of Connecticut river, vested in Benjamin Sumner, his heirs and assigns; and if so that his Excellency would as soon as convenient communicate to the Senate the result of such opinion.

The committee appointed to take into consideration the laws of this State relative to the taking of bail in civil causes, reported a bill which was read the first time; and the second reading assigned for to-morrow at three o'clock in the afternoon.

The bill from the House of Representatives entitled an act to incorporate the Hamptonfalls Fire Engine Company No. 1, was read a third time and enacted.

Presented.

The bill from the House of Representatives entitled an act to incorporate the Rockingham Lodge, was read a third time and enacted.

Presented.

The bill from the House of Representatives entitled an act to incorporate the Charitable Fire Society in Dover was brought up, read a third time and enacted.

Presented.

The Senate resumed the consideration of a resolve of the House of Representatives allowing the selectmen of Jefferson twenty-seven dollars in full of their account, referred to the standing committee on printers' and other accounts except military, who reported said resolve without amendment—which report was accepted, and the resolve read and concurred.

Presented.

The Senate resumed the consideration of a resolve of the House Representatives allowing the selectmen of Canaan three dollars in full of their account, referred to the standing committee on printers' and other accounts except military, who reported said resolve without amendment—which report was accepted, and the resolve read and concurred.

Presented.

The Senate resumed the consideration of a bill entitled an act in addition to the act entitled an act for the limitation of actions, and for preventing vexatious suits—which bill having had three several readings, passed to be enacted.

Sent down for concurrence.

A bill that came up from the House of Representatives to incorporate Pythagoras Lodge No. 33, was referred to the standing committee on acts of incorporation to report thereon.

Voted, that the Clerk be directed to procure thirty printed copies of the inventory, for the use of the Senate.

Adjourned to ten o'clock to-morrow morning.

THURSDAY, NOVEMBER 23, 1820.

Met according to adjournment.

The following communication was received from the honorable Dan Young, who lately represented District No. 12, in the Senate.

To the Legislature of New-Hampshire.

I hereby certify, that having removed to a distant part of the country, I shall not occupy a seat in the Senate of New-Hampshire in the fall session of 1820.

DAN YOUNG.

Olean, N. Y. Oct. 27, 1820.

The committee appointed to take into consideration a bill entitled an act to repeal the same section of an act to restrain the taking of unlawful interest, reported the same, which was read a second time, and the third reading assigned for to-morrow at ten o'clock.

Ordered, that the bill entitled an act to incorporate Thomas S. Bowles and others into a Char-

itable Society, called and known by the name of Pythagoras Lodge No. 33, which passed a second reading, be referred to Messrs. Brodhead, Eastman and Merrill, and that they report thereon.

A vote of the House of Representatives, referring the petition of the selectmen of Lebanon to the committee appointed to equalize the inventories, was brought up, read and concurred.

A vote of the House of Representatives, appointing Mr. Eaton on the committee to equalize inventories in the room of Mr. Buzzel excused, was brought up, read and concurred.

A message was received from the House of Representatives by Mr. Whipple, informing the Senate that the House were ready to meet the Senate in convention, for the purpose of opening and reading the votes for electors of President and Vice-President of the United States, agreeably to an act of June session, 1820.

Voted, to meet the House forthwith in convention.

Met accordingly, and after proceeding to open and examine a part of said votes, the convention rose, and the Senate returned to their chamber.

A bill, for regulating bail in civil causes, was read a second time and ordered to a third reading to-morrow at three o'clock in the afternoon.

Adjourned to three o'clock in the afternoon.

Met according to adjournment.

A resolve, from the House of Representatives, authorizing the Treasurer of this State to convey a tract of land in Adams to Joseph Meserve, jun. agreeably to a plan accompanying the report of the honorable Obed Hall, was brought up and referred with said report to Messrs. Merrill, Dame and Gould, to report thereon.

A message from the House of Representatives was received by Mr. Davenport, informing the Senate that the House were ready to meet the Senate in convention, to proceed in examining and counting the votes for Electors of President and Vice President of the United States, agreeably to an act of the Legislature of June session, 1820.

Voted, to meet the House forthwith in convention.

Met accordingly, and after completing the opening and reading of said votes, it was voted, that Messrs. Shaw, Tilton and Bellows of the House be a committee to examine, compare and cast the votes for Electors of President and Vice President of the United States, and report thereon.

The convention then rose and the Senate returned to their chamber.

Adjourned to ten o'clock to-morrow morning.

FRIDAY, NOVEMBER 24, 1820.

Met according to adjournment.

Present as yesterday.

The committee to whom was referred the bill

to incorporate Thomas S. Bowles and others into a charitable society by the name of Pythagoras Lodge No. 33, reported the same with the following amendments, to wit :

That in the eighth line of the first section, after the word hereby, the words "made and vested in to" be erased, and the word "created" be inserted; that to the end of the last line of the third section the words "for the time being" be added; and that in the fourth line of the fifth section, after the word "manner" the words "in which the annual meetings are" be erased, and the words "as is in and by this act provided, that the annual meetings of said corporation shall be," be inserted.

Which report was accepted.

The bill, as amended, was read a second and third time and sent to the House for their concurrence in said amendments.

A message from the House of Representatives was communicated by Mr. Tilton, informing the honorable Senate that the House were ready to meet the Senate in convention, for the purpose of receiving the report of the committee appointed to examine and cast the returns of votes for Electors of President and Vice President of the United States.

Voted, to meet the House forthwith in convention.

Met accordingly, and the following report of the committee was presented by Mr. Hoit to Mr. M. Harvey, chairman of the convention.

The committee appointed to examine and compare the votes returned for Electors of President and Vice President of the United States, and to cast the numbers, report—that the whole number of votes legally given, and duly returned is seventy-five thousand nine hundred and nine. That there are one thousand six hundred and nineteen votes given for several persons estimated as scattering.

That the Hon. William Plumer has	9282
Hon. William Fisk	9259
Hon. Samuel Dinsmoor	9366
Hon. Nathaniel Shannon	9336
Hon. Ezra Bartlett	9444
David Barker, Esq.	9061
John Pendexter, Esq.	9412
James Smith, Esq.	9130

The votes of the town of Milford were rejected, not having been returned according to law.

It therefore appears, that the eight persons above named, to wit, honorable William Plumer, honorable William Fisk, honorable Samuel Dinsmoor, honorable Nathaniel Shannon, honorable Ezra Bartlett, David Barker, esquire, John Pendexter, esquire, and James Smith, esquire, are duly elected.

All which is submitted by

DANIEL HOIT,
for the committee.

Which report was accepted.

The convention then rose, and the Senate returned to their chamber.

Voted, that Messrs. Hill and Poole, with such as the House of Representatives may join, be a committee to wait upon his Excellency the Governor, and inform him that the honorable William Plumer, honorable William Fisk, honorable Samuel Dinsmoor, honorable Nathaniel Shannon, honorable Ezra Bartlett, David Barker, esquire, John Pendexter, esquire, and James Smith, esquire, are duly chosen Electors for this State, of President and Vice President of the United States.

Sent down for concurrence.

A resolve from the House of Representatives, with the documents accompanying, directing the Attorney General to institute suits against all intruders on the public lands lying north of the Dartmouth College grant, was brought up, read and referred to Messrs. Merrill, Long and Gould, to report thereon.

The following communication from his Excellency the Governor was received by the Secretary :

To the Senate and House of Representatives.

Gentlemen,

I herewith transmit the opinion of the Justices of the Superior court on the question, "Has the Legislature a constitutional right to grant to any individual the privilege of erecting a toll

bridge within the limits of a former grant of a right of ferry, without the express consent of the owner of such right of ferry?" referred to them for their opinion by a resolve of the Legislature at the last session.

SAMUEL BELL.

November 17, 1820.

The undersigned Justices of the Superior Court of Judicature have attentively examined the question submitted to their consideration, by a resolution of the Legislature, passed on the 22d day of June, 1820. By an act of this State, passed on the 3d day of November, 1784, the sole and exclusive right and privilege of keeping a ferry, within certain limits on Connecticut river, were granted to and vested in one Benjamin Sumner and his heirs, and the said Sumner having accepted the grant, the question is, has the Legislature a constitutional right to grant to any individual the privilege of erecting a toll bridge within the limits of said grant of ferry, without the express consent of the owner of said right of ferry? Having attentively considered the question, we have not been able to come to an opinion that the Legislature do not possess such right. It seems to us to be very questionable whether a grant of the privilege of erecting and maintaining a toll bridge can be considered as any infringement of, or at all inconsistent with, the previous grant of a right of ferry, unless the erection of the bridge must necessarily obstruct the passage of the ferry boats. And even admitting

that such grant would infringe the rights of the owner of the ferry, we are not prepared to say the Legislature have not the power to make the grant, if the public interest requires it, and if provision is at the same time made to indemnify the owners of the ferry. If by acts of the Legislature the lands of individuals can constitutionally be taken, without their consent, for turnpike roads, on the ground that the public good requires it, it is not very easy to see why a right of ferry may not, on the same ground, be taken away by an act of the Legislature. But private rights are involved in the decision of the question, which has been submitted to our consideration; and those whose rights are implicated have had no opportunity to be heard before us; many important views of it may have escaped our attention, and many strong arguments, that really exist, may not have occurred to us. Should the Legislature in its wisdom, see fit to make the proposed grant, the question may be again brought before us, for our decision, in a cause between party and party. Thus situated, we have thought it to be our duty to beg leave to be excused from expressing any decided opinion upon the question, and we trust when we have said that the views we have taken of it have not convinced us that the Legislature does not possess a constitutional right to make the proposed grant, we shall be understood to have said all that we ought to say on the present occasion.

WM. M. RICHARDSON,
LEVI WOODBURY,
SAMUEL GREEN.

The committee to whom was referred the report of the honorable Obed Hall, and a resolve of the House of Representatives for authorizing the Treasurer of this State to execute a deed conveying a certain tract of land in the town of Adams to Joseph Meserve, junior, agreeably to a plan accompanying the said report, reported said resolve without amendment—which report was accepted, and the resolve read and concurred.

Presented.

A resolve from the House of Representatives, allowing Daniel Coolege two dollars and fifty cents in full of his account, was referred to the standing committee on printers' and other accounts except military, to report thereon.

Voted, that the resolve from the House of Representatives, allowing William Gault nine dollars and twenty cents in full of his account, be referred to the standing committee on printers' and other accounts except military, and that they report thereon.

Adjourned to three o'clock in the afternoon.

Met according to adjournment.

On motion of Mr. Hill,

Voted, that a committee be appointed to consider the expediency of removing one of the terms of the superior court of judicature, and of the court of common pleas in the county of Rockingham, from one or other of the places in which

they are now held, to some more convenient place in the county, and that they report by bill or otherwise—and Messrs. Hill, Long, Drew, Brodhead and Gould were appointed a committee for that purpose.

On motion of Mr. Eastman,

Voted, that the bill entitled an act in addition to an act regulating bail in civil causes be again committed—and Messrs. Eastman, Hoit and Belding were appointed a committee to report thereon.

Mr. Hill informed the Senate that the committee appointed to wait on his Excellency the Governor and inform him of the election of the several gentlemen chosen Electors for this State of President and Vice President of the United States, had attended that duty.

A vote of the House of Representatives for instructing the committee appointed to receive and equalize inventories, to inquire into the expediency of altering the time of taking the invoice from the first of April to the first of May, and to report thereon by bill or otherwise, was brought up, read and concurred.

Mr. Hill submitted the following preamble and resolution, which was read and ordered to lie on the table.

Whereas much inconvenience and delay attend the mode which has been heretofore practised of opening and entering in convention of both branches of the Legislature, the votes for Governor,

Counsellors and Electors of President and Vice President of the United States given in by the inhabitants of the several towns in this State.

In remedy whereof,

Be it resolved by the Senate and House of Representatives in General Court convened, That hereafter the Secretary of State shall be and hereby is authorised and required at some convenient time after the constitutional period of receiving the votes for Governor and Counsellors shall have expired, or after the term which is or may be fixed by law for receiving the votes for Electors of President and Vice-President of the United States shall have expired, and before the time shall arrive for examining in convention said votes, as the case may be, to open and enter in a book for that purpose such votes for Governor, Counsellors and Electors of President and Vice-President of the United States, and to lay the same, together with the returns, before the convention whenever the proper time shall arrive for examining said returns; any custom or usage to the contrary notwithstanding.

Adjourned to ten o'clock to-morrow morning.

SATURDAY, NOVEMBER 25, 1820.

Met according to adjournment.

Present as yesterday.

Mr. Merrill, for the committee to whom was referred the resolve from the House of Representatives, requiring the Attorney General to institute

due proceedings in law against intruders on State lands situate northerly of the tract of land granted to Dartmouth College, and also the documents accompanying the same, reported the said resolve without amendment—which report was accepted, and the resolve read and concurred.

Presented.

The following is the resolve and the most important documents accompanying the same :

STATE OF NEW-HAMPSHIRE.

In the House of Representatives, Nov. 23, 1820.

Whereas, it hath been represented to this Legislature that sundry persons have unlawfully entered and intruded upon certain lands belonging to this State, situate in the county of Coos, and northerly of the tract of land which was granted to Dartmouth College :

Therefore,

Resolved, that the attorney general be and he is hereby authorized and required to institute due proceedings in law against such of said persons as he shall deem proper, in the name and behalf of this State, and the same to prosecute to final judgment, to the end that the said persons, in case it shall be found that they have unlawfully entered and intruded upon said lands, may be removed therefrom.

Resolved, that the Attorney General be authorized to employ such agent or agents as he shall think proper to procure the information and testimony necessary for the aforesaid purpose.

STATE OF NEW-HAMPSHIRE.

In the House of Representatives, February 7, 1789.

Voted, that the honorable John Sullivan, Ebenezer Smith, Nathan Hoit, Joseph Cram and Jeremiah Eames, esquires, be, and they hereby are appointed a committee to ascertain the unlocated lands within this State, by running the line between this State and that part of the Commonwealth of Massachusetts, formerly called the Province of Maine, and the line between the northerly part of this State and the province of Canada, and return a descriptive plan thereof.

Sent up for concurrence.

THOMAS BARTLETT, Speaker.

In Senate, the same day read and concurred.

J. PEARSON, *Secretary.*

Nov. 1820. A true copy, attest,

RICHARD BARTLETT,

Deputy Secretary.

STATE OF NEW-HAMPSHIRE.

In the House of Representatives, February 7, 1789.

Voted, that the committee for ascertaining the unlocated lands in this State be, and they hereby are empowered to employ such surveyor, chainmen and axe-men as they shall find necessary to forward the business assigned them, and that they have an order on the Treasury for one hundred and fifty pounds, to be paid out of the revenue arising by excise or imposts, for which they are to

be accountable, and that the President give order accordingly.

Sent up for concurrence.

THOMAS BARTLETT, *Speaker.*

In Senate, the same day read and concurred.

J. PEARSON, *Secretary.*

Nov. 1820. A true copy, attest,

RICHARD BARTLETT,

Deputy Secretary.

We the subscribers, a committee for ascertaining the waste lands in the State of New-Hampshire, have proceeded to run the line on the easterly side of said State, the same course that the line was formerly run and spotted between this State and Massachusetts. We begun to measure and spot at the north east corner of Shelburne, in this State, and measured on to the waters of Umbagogue Lake, which is sixteen miles and two hundred and forty rods, then across a branch of said lake fifty-four rods, then fourteen rods on the land to a river that is six rods wide, and runs westerly into said lake, then measured on the land one mile two hundred and twenty-six rods to said lake, then across the water forty rods, then over a neck of land sixteen rods to an arm of said lake, then across the water two hundred and thirty-five rods, then we continued on our course one hundred and ninety-five rods to said lake about three and an half miles, then we measured and spotted two miles two hundred and twenty-six rods to Margalloway river, that runs about south west, and is about ten rods wide, empties into Amerscoggin river a little

below said lake, then we measured on our course one mile and seventy rods and crossed said Margalloway river again, which will more fully appear by the plan herewith exhibited. We continued on our line, measured and spotted to the high lands that divide the waters that fall into the river St. Lawrence and the waters that fall into the Atlantic Ocean. From the north east corner of said Shelburne to said high lands is fifty-four miles, and we marked a tree at the end of every mile, except where miles end on water, from one to fifty-four miles inclusive, where we marked a large *burch* that stands on said high lands, thus : N. E. 54 M. New-Hampshire 1789, for the north east corner of New-Hampshire, and piled stones round said tree, then from said north east corner where we marked the *burch* we measured and spotted south westerly along on said high lands about six miles, then we run about west, measured and marked a tree at the end of every mile from said *burch* marked fifty-four miles at the north east corner of said State from one to seventeen miles and two hundred rods to the head of the north west branch of Connecticut River, and marked a fir tree N. H. N. W. 1789, for the north west corner of New-Hampshire, then down said river or north west branch to the main river about fifteen miles where said branch falls into the main river about half a mile below latitude 45 degrees north, which will more fully appear by the plan. The mountains, streams and waters are laid down on the plan very

accurate when the line we run crossed them, but where they were at some distance from our line we laid them down by conjecture.

Portsmouth, Jan. 6, 1790.

JOSEPH CRAM,	}	<i>Surveyors.</i>
JEREMIAH EAMES,		
JNO. SULLIVAN,	}	<i>Committee.</i>
EBENEZER SMITH,		
NATHAN HOIT,		
JEREMIAH EAMES,		

Nov. 1820. A true copy of the original on file.

RICHARD BARRLETT,

Deputy Secretary.

Mr. Hill, from the committee appointed to take into consideration the expediency of removing the courts from one or other of the places where they are now holden in the county of Rockingham, reported a bill entitled an act to change the place of holding the September term of the superior court of judicature and the August term of the court of common pleas in the county of Rockingham, which was read and ordered to lie on the table.

The committee, to whom was referred a resolve from the House of Representatives, allowing Daniel Cooledge two dollars and fifty cents in full of his account, reported the same without amendment.

Which report was accepted, and the resolve read and concurred.

Presented.

The committee to whom was referred a resolve from the House of Representatives, allowing William Gault nine dollars and twenty cents in full of

his account, reported the same without amendment.

Which report was accepted, and the resolve read and concurred.

Presented.

A resolve of the House of Representatives allowing James Dean, late professor of mathematics, &c. &c. in the late University of Dartmouth, six hundred and ninety-two dollars in full for his services as professor as aforesaid, was brought up, read and ordered to lie on the table.

Adjourned to Monday next at ten o'clock, A. M.

MONDAY, NOVEMBER, 27, 1820.

Met according to adjournment.

The bill entitled an act to repeal the second section of an act to restrain the taking of unlawful interest, passed February 12, 1791, except the proviso therein, was called up, and on the question shall this bill pass to be enacted, it was ordered to lie on the table for further consideration.

A vote of the House of Representatives to refer the remonstrance of the White River Falls Company, against the petition of the selectmen of Lebanon, to the committee appointed to receive and equalize the inventories and report thereon, was brought up, read and concurred in by the Senate.

Mr. Long submitted the following preamble and resolution, which was read and laid on the table ;

Whereas the State of New-Hampshire is the owner of twenty-five thousand dollars in the capi-

tal stock of the New-Hampshire Bank at Portsmouth, part of which was subscribed by a vote of the Legislature passed December 31, 1799, viz. twenty-four shares, the amount of which is twelve thousand dollars, the subscription was upon this express condition that the state shall at any time have liberty to withdraw a part or the whole at their election, and by recent information given to this branch of the Legislature that a record to that effect was made on the books of the bank, February, 1800, when the then Treasurer of the State paid the amount for the twenty-four shares last mentioned. Now for divers good reasons well known to the Legislature,

Be it resolved, that the Treasurer be authorized, under the direction of the Governor, for the use of the State, to receive from the Cashier of the New-Hampshire Bank in Portsmouth the twelve thousand dollars last subscribed.

Adjourned to three o'clock afternoon.

Met according to adjournment.

Voted, that the report of the committee of the House of Representatives relative to the expenses of building the State-House fence, and the resolve of the House accompanying the same, be referred to the standing committee on printers' and other accounts except military, and that they report thereon.

Ordered, that the petition of Isaac Lord and others, of the standing committee of Effingham

Union Academy for a grant of unappropriated lands for the benefit of that institution, be referred to Messrs. Hill, Eastman and Long, and that they report thereon.

Ordered, that the petition of Josiah Stevens and others, praying for an act of incorporation for erecting a dam across Sugar River at the outlet of Sunapee Lake, and the bill from the House of Representatives accompanying the same, and the remonstrance of Thomas and John Pike, &c. &c. be referred to the standing committee on acts of incorporations, and that they report thereon.

Adjourned to ten o'clock to-morrow morning.

TUESDAY, NOVEMBER 28, 1820.

Met according to adjournment.

Present as yesterday.

The Senate resumed the consideration of the resolution empowering the secretary to open and enter the votes for Governor and Counsellors, and Electors of President and Vice-President of the United States previous to the time assigned for examining said votes, and passed the same.

Sent down for concurrence.

A message from the House of Representatives was communicated by Mr. Neal, the clerk, who informed the President that the House concurred with the honorable Senate, in passing the bill entitled "an act in addition to and in amendment of an act granting additional powers to the courts of pro-

bate, and for the regulation of trustees and guardians," with an amendment, to which the concurrence of the honorable Senate was respectfully requested.

The Senate concurred with the House in their amendment to the aforesaid act, and an engrossed bill-embracing the said amendment was sent down for concurrence.

The Senate resumed the consideration of the bill entitled "an act to change the place of holding the September term of the Superior Court of judicature, and the August term of the court of common pleas in the county of Rockingham," and the same having had three several readings, passed to be enacted, and was sent down for concurrence.

Mr. Dame obtained leave and presented a bill for regulating the practice of physic and surgery, which was read and ordered to a second reading to-morrow at three o'clock in the afternoon.

A bill which came up from the House of Representatives in addition to the act for fixing the compensation for publishing the laws of the State in the several newspapers to be designated for that purpose, was read and referred to Messrs. Eastman, Pool and Long.

Adjourned to three o'clock this afternoon.

Met according to adjournment.

Mr. Eastman submitted the following motion for consideration, which was read, and voted to be referred accordingly :

That the committee whose duty it is to take into consideration the existing laws of this State for the punishment of crimes, be instructed to enquire into the expediency of so amending the law, that those crimes which are now punished by imprisonment in the county jails, and the smaller crimes which are punished by imprisonment in the State Prison shall be punished by solitary confinement in the jails of the several counties—and that the persons convicted of those other crimes, the punishment of which are by imprisonment in the State Prison, shall be arranged in classes according to their offences, and the internal government of said prison be so arranged that the criminals in one class shall not associate with those of another—and that on the second conviction of any person whose first and second punishment may according to law be by imprisonment in the State Prison, such criminal shall be punished by solitary imprisonment in the said prison—and that on the third conviction of any person, whose first, second and third conviction shall be for crimes now punishable by law in the State Prison, such person shall be punished by death.

A resolve of the House of Representatives allowing Beck and Foster twenty-four dollars in full

of their account, was referred to the standing committee on printers' and other accounts except military, to report thereon.

A resolve of the House of Representatives allowing Bannister and Thurston twenty-four dollars in full of their account, was referred to the standing committee on printers' and other accounts, except military, to report thereon.

A resolve of the House of Representatives allowing John Mann twenty-four dollars in full of his account, was referred to the standing committee on printers' and other accounts except military, to report thereon.

Adjourned to ten o'clock to-morrow morning.

WEDNESDAY, NOVEMBER 29, 1820.

Met according to adjournment.

A message from the House of Representatives was received, informing that the House concurred with the Senate in their amendments to the bill for incorporating Thomas S. Bowles and others into a charitable society by the name of Pythagoras Lodge No. 33, accompanied with an engrossed bill embracing those amendments, which was presented for the signature of the President.

The committee to whom was referred the consideration of the bill entitled "an act in addition to an act entitled an act to fix the compensation for publishing the laws of this State in the several

newspapers to be designated for that purpose," which came up from the House of Representatives, reported the same without amendment, and the said bill, having been read a third time, was enacted.

Presented.

The committee appointed to consider the account of Beck and Foster, for publishing the laws of last June session, and a resolve of the House of Representatives accompanying the same, allowing them twenty-four dollars in full of their account, reported the same without amendment—which report was accepted, and the said resolve read and concurred.

Presented.

The committee appointed to consider the account of Bannister and Thurston, for publishing the laws of last June session, and a resolve of the House of Representatives, allowing them twenty-four dollars in full of their account, reported the same without amendment—which report was accepted, and the said resolve read and concurred.

Presented.

The committee appointed to consider the account of John Mann, for publishing the laws of the last June session, and a resolve of the House of Representatives allowing him twenty-four dollars in full of his account, reported the same without amendment—which report was accepted, and the resolve read and concurred.

Presented.

The resolve of the House of Representatives allowing James Dean six hundred and ninety-two dollars, in full for his services as Professor of Mathematicks and Natural Philosophy in the late University of Dartmouth, was called up for further consideration, and ordered to lie.

A resolve of the House of Representatives allowing Thomas C. Searle five hundred dollars in full for his services as Professor of Logic in the late University of Dartmouth, was brought up, read and ordered to lie.

A resolve of the House of Representatives allowing Nathaniel H. Carter four hundred and sixty dollars for his services in full as Professor of Languages in the late University of Dartmouth, was brought up, read and ordered to lie.

The bill entitled "an act to repeal the second section of an act entitled an act to restrain the taking of unlawful interest, passed February 12, 1791, except the proviso therein," was called up, and on the question, Shall this bill pass?—It was moved by Mr. Hoit that the said bill be indefinitely postponed.

On which motion the yeas and nays were called for and were as follows.

In favor of postponement—

Mr. Hoit.

Against postponement—

Messrs. Long,

Brodhead,

Messrs. Gould,
Hill,
Eastman,
Pool,
Harvey,
Belding,
Drew,
Dame,
Merrill.

Yea 1. Nays 11.

So the motion did not prevail.

The question recurring, *Shall this bill pass?*—
it was determined in the affirmative, and the bill
was sent down for concurrence.

Adjourned to three o'clock afternoon.

Met according to adjournment.

The bill entitled "an act to regulate the practice of physic and surgery in this State," was read a second time and referred to Messrs. Dame, Hill and Merrill, to report thereon.

Mr. Brodhead presented a petition in behalf of the Trustees of the New-Market Wesleyan Academy, praying for a grant of unappropriated land for the benefit of said institution, which was read and referred to the committee appointed to take into consideration a similar petition of the Trustees of Effingham Union Academy, to report thereon.

On motion of Mr. Brodhead,

Voted, that the honorable William Plumer have leave to withdraw his memorial against banks.

On motion of Mr. Eastman,

Voted, that Messrs. Eastman and Gould, with such as the House of Representatives may join, be a committee to take into consideration and report what business now remains before the Legislature which requires their attention; and what time may probably be assigned for the close of the present session.

Adjourned to ten o'clock, A. M. to-morrow.

THURSDAY, NOVEMBER 30, 1820.

Met according to adjournment.

Present as yesterday.

A petition of sundry inhabitants of the town of Haverhill, to be incorporated into an Aqueduct Company, with a bill accompanying the same, came up from the House of Representatives, and were referred to the standing committee on acts of incorporation, to report thereon.

A petition of sundry inhabitants of Sandown, for the incorporation of a Social Library, and a bill accompanying the same, came up from the House of Representatives, and after being read were referred to the standing committee on acts of incorporation, to report thereon.

A petition of sundry inhabitants of the town of Orange, to be annexed to the town of Alexandria, and a bill accompanying the same, came up from the House of Representatives, and were referred to the standing committee on acts of incorporation, to report thereon.

Mr. Dame reported the bill regulating the practice of physic and surgery in this State, with an amendment, and the bill having been read by sections was re-committed.

The committee to whom the bill entitled an act to regulate the practice of physic and surgery within this State was recommitted, reported the same with further amendments, which were agreed to by the Senate: and the bill as amended was read a second time, and the third reading thereof assigned for three o'clock this afternoon.

Moved by Mr. Eastman,

That all bills with the accompanying papers received from the House of Representatives, which may be founded on petitions for acts of incorporation, shall be referred to the standing committee on acts of incorporation, upon the President's stating to the Senate the title of such bills, without reading the same—and all other bills received from the House of Representatives shall be referred to a standing committee to be appointed for that purpose, upon the President's stating in like manner the title of such bills.

Voted, that said motion, with the rules of the Senate, be referred to Messrs. Eastman, Hill and Hoyt, to report thereon.

Mr. Long submitted the following resolution, which was read, and three o'clock to-morrow afternoon assigned to take the same into consideration :

Whereas the Congress of the United States, at their last session, contemplated passing a new tariff of duties, which if passed into a law would be very injurious to the good citizens of this State generally, and particularly to the commercial part of it, for reason of the exorbitant duties upon certain articles ; and would be the direct means of introducing a regular system of smuggling, injurious to the morals of the people of this State, and of the United States, and beyond a doubt ruinous to the revenue of the country.

Therefore, be it resolved,
That the Senators in Congress be instructed, and the Representatives be requested, to use their utmost influence to prevent the bill called the new tariff of duties from passing into a law.

That the Governor be requested to forward the above resolve forthwith to the Senators and Representatives in Congress for their government.

A bill from the House of Representatives incorporating Josiah Stevens and others by the name of the Sunapee Dam Corporation, came up, and was read and ordered for a second reading at three o'clock in the afternoon.

The usual hour of adjournment having arrived,
On motion of Mr. Hoit,

Voted, that the Senate adjourn to ten o'clock
to-morrow morning, on account of the meeting of
the committee appointed to equalize inventories,
&c. &c.

FRIDAY, DECEMBER 1, 1820.

Met according to adjournment.

Present as yesterday.

The Senate resumed the consideration of the
bill entitled an act to regulate the practice of
physic and surgery within this State, which was
read a third time, and on the question shall this
bill pass, those who voted in the affirmative are—

Messrs. Long,
Eastman,
Dame,
Brodhead,
Belding,
Merrill.

Those who voted in the negative are—

Messrs. Gould,
Hoit,
Harvey,
Hill,
Pool,
Drew.

So the yeas and nays being equal, it was determined in the negative.

The bill entitled an act to incorporate Josiah Stevens and others by the name of Sunapee Dam Corporation, passed to a second reading, and three o'clock this afternoon was assigned for the third reading thereof.

The committee to whom the motion of Mr. Eastman, relative to the rules of the honorable Senate for the despatch of public business was referred, reported the same with amendment.

Which report was accepted.

On motion of Mr. Hoit,

Voted, that during the sitting of the committee for equalizing inventories, &c. &c. the Senate hold but one session per day.

A vote of the House of Representatives, appointing Messrs. Whipple, Abbot and Bingham, with such as the Senate might join, a committee to provide a room for the Electors of President and Vice-President of the United States, and to notify the Electors thereof, was brought up, read and concurred, and Mr. Hill appointed on the part of the Senate.

Adjourned to ten o'clock to-morrow morning.

SATURDAY, DECEMBER 2, 1820.

Met according to adjournment.

Present as yesterday.

Mr. Hill, for the committee to whom the petition of the trustees of Effingham Union Academy was

referred, reported in favor of a grant of land to said institution equal to one half of a six miles square township from any of the unappropriated lands belonging to the State south of latitude forty five degrees north, the land to be in one body, and to be surveyed at the expense of the petitioners, with leave to bring in a bill for that purpose.

Mr. Hill, from the committee to whom the petition of the trustees of the New-Market Wesley-Academy was referred, reported that a grant of land equal to one half of a six mile square township be made to said institution in one body, in any of the unappropriated lands belonging to the State south of latitude 45 degrees north, to be surveyed at the expense of the petitioners—the selection to be made subsequent to the selection made by the trustees of Effingham Union Academy, with leave to bring in a bill for that purpose.

A resolve of the House of Representatives allowing David Barker, Esq. ten dollars in full of his account, was brought up, read and referred to the standing committee on all accounts except military.

Voted, that the several resolves from the House of Representatives allowing James Dean six hundred and ninety-two dollars, Thomas C. Searle five hundred dollars, and Nathaniel H. Carter four hundred and sixty dollars in full for their respective services as professors in the late University of Dartmouth, be committed to Messrs. Eastman, Merrill and Drew, and that they report thereon.

A vote of the House of Representatives appointing Messrs. Tilton, Woodman, Gale, March and Bellows with such as the Senate might join, a committee to take into consideration the *fee bill* and make such alterations and amendments as they may deem proper, and report thereon by bill or otherwise, was brought up, read and concurred, and Mr. Dame appointed to join on the part of the Senate.

A bill from the House of Representatives changing the name of Comfort Carpenter to Jonathan Carpenter was brought up, read and referred to Messrs. Belding, Gould and Long.

A bill entitled, an act regulating the jurisdiction of the courts of law and altering the style and name of the courts of common pleas, came up from the House of Representatives, and was read and ordered to lie.

The following, agreeably to the report of the committee appointed for the purpose were adopted as the

RULES OF THE SENATE FOR NOVEMBER SESSION, 1820.

1. The President shall take the chair at the hour to which the Senate shall have adjourned, and on the attendance of a quorum shall call the Senate to order, and cause the journal of the preceding day to be read. He shall have the right to name any member to perform the duties of the chair, but such substitution shall not extend beyond an adjournment.

2. The President shall preserve order and decorum, and decide all questions of order subject to an appeal to the Senate by any member: and all bills, resolves and addresses after passing the Senate shall be signed by the President, and all warrants and subpoenas or other processes issued by order of the Senate, shall be under his hand and seal, attested by the Clerk.

3. Each member shall seasonably and punctually attend to his duty in the Senate.

4. No member, after having been chosen on any committee, shall have the privilege of nominating a person for the same committee, nor shall any member be allowed to nominate more than one person for the same committee.

5. Every member when he speaks in debate, or wishes to communicate any matter to the Senate, shall rise from his seat and respectfully address the President, and shall confine himself to the question under debate and avoid personality.

6. When any motion is made, it shall be reduced to writing if the President or any member request it.

7. Any member may call for a division of the question, when the same is divisible.

8. When any motion is before the Senate, no other motion shall be received except for an amendment, for the previous question, for a postponement of the same question, for a commitment, or for an adjournment.

9. The yeas and nays may be required by any member, and shall be in the order of the districts, beginning at No. 1, when every member present shall give his vote unless for special reasons excused by the Senate.

10. No petition or bill shall be introduced into the Senate, those received from the House of Representatives excepted, unless by a member on motion for that purpose, after stating the object of the petition, or title of the bill; and whenever a bill shall not be rejected on its first reading, a time shall be assigned for a second reading of the same.

And no bill shall pass to be enacted, until it shall have had three several readings, nor shall any bill be read a third time until an adjournment take place after its second reading, unless this rule be dispensed with by a vote of the Senate.

11. No member shall absent himself from the Senate without leave.

12. There shall be a standing committee of three members, to whom shall be referred all petitions for acts of incorporation; also a standing committee of three members, to whom shall be referred all matters in relation to the militia; also a standing committee of three members, to whom shall be referred all military accounts; also a standing committee of three members, to whom shall be referred printers' and all other except military accounts; also a standing committee of three mem-

bers, to whom shall be referred all bills to be engrossed for a third reading.

All other committees shall consist of three members, unless a motion is made for a different number. All private bills, resolves, votes and other proceedings of the House of Representatives shall be referred to the several committees on the same subject in the Senate previous to acting thereon; and all bills of a general or public nature received from the House of Representatives shall, previous to being acted upon, be referred to a committee.

13. All committees shall be nominated by the President, unless otherwise ordered by the Senate.

14. When the Senate shall concur in the appointment of a joint committee consisting of not more than five members from the House, one member only shall be added on the part of the Senate; but when such committee shall consist of more than five members from the House, two members shall be added thereto on the part of the Senate.

15. No resolve or vote shall be reconsidered when there is a less number of members of the Senate present than there was at passing the same.

16. The Senate shall on no occasion meet the House in convention until they shall have previously passed a vote for that purpose.

17. Whenever the subject matter on which the Senate shall meet the House in convention shall be finished, the Senate shall immediately retire to their chamber.

18. Whenever the Senate propose to concur with the House in the passage of any vote, bill or resolve, with amendments proposed by the Senate, provided the House adopt the proposed amendments, the Senate are not at liberty to withhold their concurrence.

19. The standing committees shall attend at their respective committee rooms one hour before the meeting of the Senate in the morning, and at such other times as the Senate shall order.

20. The Senate shall adjourn to meet at ten o'clock in the forenoon, and at half past two o'clock in the afternoon of each day, unless otherwise specially ordered by the Senate.

21. No person except he be a member or officer of the Senate shall be admitted within the bar of the Senate unless by invitation of the President or some member with his consent, except when the Senate shall be in committee of the whole on public hearings, when the parties, their counsel, and witnesses shall be admitted.

22. The Senate may resolve itself into a committee of the whole at any time, on motion of a member made for that purpose, and in forming a committee of the whole the President may be permitted to leave the chair and appoint a chairman for that purpose.

23. When bills are committed to a committee of the whole, the bill shall be first read throughout by the clerk, and then again read and debated by clauses. The body of the bill shall not be defaced or interlined, but all amendments noting the page and line shall be duly entered by the clerk on a separate paper, as the same shall be agreed to by the committee, and so reported to the Senate.

After report, the bill shall again be subject to be debated, and amended by clauses before its final passage.

Adjourned to Monday next at ten o'clock, A. M.

MONDAY, DECEMBER 4, 1820.

Met according to adjournment.

Present as on Saturday.

On motion of Mr. Dame, the bill entitled an act regulating the jurisdiction of the courts of law, and altering the style and name of the courts of common pleas, was called up, read, and referred to Messrs. Dame, Drew, Eastman, Long and Hoit.

The act to incorporate Josiah Stevens and others by the name of the Sunapee Dam Corporation, having had three several readings, passed to be enacted.

Presented.

The following resolution was submitted by Mr.

Drew :

Resolved by the Senate and House of Representatives in General Court convened, that it shall be the

duty of James Buswell and Edward Philbrick during the present session to watch and take care of the fires in the State House by night, as well as by day ; for which they shall receive a reasonable compensation—which was read, passed and sent down for concurrence.

Adjourned to ten o'clock to-morrow morning.

TUESDAY, DECEMBER 5, 1820.

Met according to adjournment.

Present as yesterday.

Mr. Hill, from the committee appointed to provide a suitable room for the accommodation of the Electors of President and Vice-President, reported that they had selected committee room No. 1, in the lower tier of rooms in the State House, and sent a written notification thereof to each Elector.

Which report was accepted.

A petition of James F. Baldwin, agent of the Union Canal corporation, praying for an extension of the grant of the Union Canal Lottery, with a bill entitled "an act to continue in force an act passed June 19, 1813, entitled an act to grant a lottery," &c. &c. with sundry papers relative to the concern, came up from the House of Representatives, and on motion of Mr. Dame, being referred to a committee, Messrs. Pool, Belding and Brodhead were appointed to report thereon.

The following communication from the Electoral College was presented by Mr. Bartlett, the Secretary :

To the honorable the Legislatare of New-Hampshire.

Concord, December 5, 1820.

The undersigned, being appointed Electors of President and Vice-President of the United States, are now in this town, and accept the appointment.

(Signed)	WILLIAM PLUMER,
(Signed)	EZRA BARTLETT,
(Signed)	SAMUEL DINSMOOR,
(Signed)	JOHN PENDEXTER,
(Signed)	NATH'L SHANNON,
(Signed)	WILLIAM FISK,
(Signed)	DAVID BARKER,
(Signed)	JAMES SMITH.

Mr. Long, from the committee appointed to take into consideration the bill from the House of Representatives entitled an act to annex a part of the town of Orange, in the county of Grafton, to the town of Alexandria, reported the same without amendment—which report was accepted, and the bill read by sections, and the third reading thereof assigned for to-morrow at ten o'clock in the forenoon.

Mr. Long, from the committee appointed to take into consideration the petition of sundry inhabitants of the town of Haverhill to be incorporated into an Aqueduct Company, and a bill from the House of Representatives accompanying the

same, reported the said bill entitled an act to incorporate Henry Towle, &c. &c. without amendment—which report was accepted, and the bill read by sections, and the third reading thereof assigned for to-morrow at ten o'clock.

Mr. Long, from the committee to whom the petition of certain inhabitants of Sandown for the incorporation of a Social Library, and a bill from the House of Representatives accompanying the same was referred, reported said bill entitled an act to incorporate a Social Library, &c. &c. without amendment—which report was accepted, and the bill read by sections, and the third reading thereof assigned for to-morrow at ten o'clock.

Voted, that the petition of the members of Franklin Lodge, and a bill from the House of Representatives accompanying the same, be referred to the standing committee on acts of incorporation, and that they report thereon.

Adjourned to ten o'clock, A. M. to-morrow.

WEDNESDAY, DECEMBER 6, 1820.

Met according to adjournment.

Present as yesterday.

The bill entitled an act to annex a part of the town of Orange in the county of Grafton to Alexandria, which came up from the House of Representatives, was read a third time and passed to be enacted.

The bill entitled an act to incorporate a Social Library in Sandown, which came up from the House of Representatives, was read a third time and passed to be enacted.

On motion of Mr. Eastman,

The Senate resumed the further consideration of the bill entitled an act to incorporate Henry Towle and his associates by the name of Haverhill Aqueduct Corporation, when it was ordered that the said bill be again referred to a committee to report thereon, and Messrs. Eastman, Merrill and Gould were appointed.

Mr. Drew, from the committee to whom was referred the consideration of a resolve of the House of Representatives, allowing David Barker, esquire, ten dollars in full of his account, reported the same without amendment—which report was accepted, and the resolve read and concurred.

Mr. Long, from the committee to whom the consideration of the petition of the members of Franklin Lodge, and the bill from the House of Representatives accompanying the same, were referred, reported the same without amendment—which report was accepted, and the bill read a second time by sections, and the third reading assigned for to-morrow at ten o'clock.

Adjourned to ten o'clock to-morrow morning.

THURSDAY, DECEMBER 7, 1820.

Met according to adjournment.

Present as yesterday.

Mr. Eastman, for the committee appointed to take into consideration a bill entitled "an act regulating bail in civil causes," obtained leave and reported a new bill entitled "an act in amendment of the laws now in force regulating bail in civil causes," which passed a second reading, and the third reading thereof was assigned for to-morrow at ten o'clock in the forenoon.

Mr. Dame, for the committee appointed to take into consideration the bill from the House of Representatives entitled "an act regulating the jurisdiction of the courts of law, and altering the style and name of the courts of common pleas," reported the same with the following amendments :

That instead of the fourth section of said bill the following be substituted :

SECTION 4. *And be it further enacted,* That the parties in all suits hereafter to be commenced at the superior court of judicature, shall have a right to one review in the same way and manner as actions are now reviewable insaid court, which have heretofore been originated in the courts of common pleas.

And that the following be substituted instead of the fifth section of said bill :

SECTION 5. *And be it further enacted,* That in addition to the term of said superior court, by law

now required to be holden at Lancaster in and for the county of Coos, on the first Tuesday of May, the said superior court shall be holden at said Lancaster, in and for said county of Coos, on the first Tuesday of November annually. And the said superior court shall hereafter be holden at Plymouth, in and for the county of Grafton, on the second Tuesday of November annually, instead of the first Tuesday of November.

And that the following be substituted in the place of the sixth section of said bill :

SECTION 6. *And be it further enacted,* That instead of the fees now paid for entries, there shall hereafter be paid to the clerks of the said superior court for the entry of every action, suit, petition or complaint, the sum of fifty cents, and it shall be the duty of each clerk, at the close of every term in his county, to have his account allowed and certified by a justice of said court attending such term, and forthwith to pay to the county treasury the balance found due, and in default thereof such clerk shall be liable to attachment.

And that in the eighth line of the eighth section as amended after the word "record" the following words be inserted; "and all parties conceiving themselves aggrieved at the judgment of said court of sessions in cases of roads and highways, shall have a right to appeal from said judgment to said superior court, and it shall be the duty of said superior court to sustain such appeal, and to cause

such proceedings thereon to be had as the nature of the case may require."

And that in the third line of the tenth section as amended the word "two" be expunged and the word "four" substituted—making an addition of two dollars per day to the compensation allowed on the present bill to said justices while holding the court of sessions.

When the Senate proceeded to take the said amendments into consideration, and the first, second, third and fifth were agreed to.

Mr. Hill moved an amendment to the sixth section of said bill as amended, which was in substance that the fee to the clerk of the superior court for the entry of every action, suit, &c. should be one dollar instead of fifty cents; and on the question being taken on said motion, it was decided in the negative.

Mr. Drew moved an amendment to the seventh section of said bill as amended, which was in substance that instead of each of said courts of sessions consisting of one chief justice, and four associate justice, the said courts should consist of one chief justice and two associate justices—and on the question shall this amendment pass, the yeas and nays were called for, and those who voted in the affirmative are—

Messrs. Gould,
Harvey,
Drew,

Hoit,
Belding.

Those in the negative are—

Messrs. Long,
Hill,
Pool,
Merrill.
Brodhead,
Eastman,
Dame.

So the motion did not prevail.

When the further consideration of the bill was postponed till ten o'clock to-morrow morning.

Mr. Brodhead obtained leave and presented a bill entitled "an act in addition to and in amendment of an act entitled an act relating to attorneys, which was read and referred to Messrs. Brodhead, Eastman and Hoit.

A bill, entitled "an act to incorporate the proprietors of Claremont Bridge," came up from the House of Representatives, and was read for the first time, and referred to the standing committee on acts of incorporation.

Mr. Hoit obtained leave and introduced a bill granting a tract of land equal to half of a six miles square township to the trustees of Effingham Academy," which was read for the first time, and the second reading assigned for to-morrow at ten o'clock.

The bill entitled an act to incorporate Franklin Lodge No. 6 in Lebanon, passed a third reading and was enacted.

Presented.

Mr. Hoit presented the petition of Ezekiel Wentworth and others for the removal of one the terms of the superior court now holden at Dover, and one of the terms of the court of common pleas now holden at Rochester in Strafford county to Wolfeborough in said county.

A resolve allowing compensation to the Electors of President and Vice-President of the United States, and to the Secretary of the Electoral College came up from the House of Representatives, and was read and referred to the standing committee on accounts, except military, who reported the same without amendment—which report was accepted, and the resolve concurred in.

A petition of Thomas Hubbard and others, praying that Shelburne and Shelburne addition, in the county of Coos, may be incorporated into one town, with a bill accompanying the same, came up from the House of Representatives, and was read and referred to the standing committee on acts of incorporation.

Mr. Drew presented a resolution allowing Eliza B. Woodward, executrix of the last will and testament of the late honorable William H. Woodward, treasurer of the late University of Dartmouth, the sum of seven hundred and eighty-five dollars and

twenty-eight cents in full for his services as secretary and treasurer of the University aforesaid, and on the question of referring the same to a committee, the yeas and nays were called for.

Those who voted in the affirmative are—

Messrs. Long,
Eastman,
Harvey,
Dame,
Brodhead,
Pool;
Drew,
Merrill.

Those who voted in the negative are—

Messrs. Gould,
Hoit,
Hill,
Belding.

So the motion for commitment did prevail.

It was then ordered that the resolve be referred to the committee appointed to consider the resolutions that came from the House of Representatives in favor of Messrs Dean, Carter and Searle, late professors in the aforesaid University.

Adjourned to ten o'clock to-morrow morning.

FRIDAY, DECEMBER 8, 1820.

Met according to adjournment.

The bill granting a tract of land equal to half of a six mile square township to the trustees of Ef-

fingham Academy, passed a second reading, and the third reading thereof was assigned for to-morrow at ten o'clock.

The bill entitled "an act in amendment of the laws for regulating bail in civil causes," &c. passed a third reading and was enacted.

Sent down for concurrence.

The committee appointed to take into consideration the several resolves of the House of Representatives in favor of an allowance of the several sums before mentioned to Messrs. Dean, Carter and Searle, professors in different branches of education in the late University of Dartmouth, and also the resolution referred to the same committee allowing Eliza B. Woodward seven hundred and eighty-five dollars and twenty-eight cents for the services of her late husband as treasurer and Secretary of the late Dartmouth University, reported the said resolutions in favor of Messrs. Dean, Searle and Carter, with the following amendments :

That instead of six hundred and ninety-two dollars the said Dean shall receive five hundred dollars in full for his services as professor in Dartmouth University aforesaid.

That instead of four hundred and sixty dollars, the sum allowed in the aforesaid resolve of the House of Representatives, there be allowed to the said Carter one hundred and eighty-four dollars in full for his services as professor in the late Dartmouth University aforesaid.

That instead of five hundred dollars the sum allowed in the aforesaid resolve of the House of Representatives, there be allowed to the said Searle three hundred dollars in full of his services as professor in Dartmouth University aforesaid.

The committee also reported the following amendment to the resolve in favour of Eliza B. Woodward, that instead of seven hundred and eighty-five dollars and twenty-eight cents, the sum mentioned in said resolve, the sum of four hundred and seventy-one dollars and fifteen cents be allowed her in full for the services of her late husband, William H. Woodward, deceased, as secretary and treasurer of the late Dartmouth University.

It was then ordered that the report of the committee on the subject of these claims and allowances should be divided, and the amendments to the said resolutions acted upon separately. And on the question to accept the report of the committee on the resolution in favor of James Dean, the yeas and nays were called for by Mr. Hill—and those who voted in the affirmative are—

Messrs. Long,
Eastman,
Harvey,
Drew,
Merrill,
Gould,
Pool,
Belding,
Dame.

Those who voted in the negative are—

Messrs. Brodhead,
Hill,
Hoit.

So this division of the report was accepted ;
when those parts of the report of the committee
on the resolutions in favor of Nathaniel H. Carter
and Thomas C. Searle, were severally considered
and accepted.

And on the question of acceptance of that part
of the report of the committee on the resolution
in favor of Eliza B. Woodward, the yeas and nays
were called for by Mr. Hill.

Those who voted in the affirmative are—

Messrs. Long,
Brodhead,
Gould,
Eastman,
Harvey,
Drew,
Dame,
Merrill.

Those who voted in the negative are—

Messrs. Hill,
Hoit,
Pool,
Belding.

And this division of the report was accepted.

The question then occurring for passing said resolution as amended in favor of James Dean, the yeas and nays were required by Mr. Hill.

Those who voted in the affirmative are—

Messrs. Long,
Brodhead,
Gould,
Eastman,
Pool,
Harvey,
Belding.
Drew,
Dame.
Merrill.

Those in the negative are—

Messrs. Hill,
Hoit.

So the resolution passed.

The resolves in favor of Nathaniel H. Carter and Thomas C. Searle, as amended, were also concurred in by the Senate, and returned to the House for their concurrence in the amendments aforesaid.

The resolution of the Senate as amended in favor of Eliza B. Woodward was then considered, passed and sent down.

A message from the House of Representatives was communicated by Mr. Whipple, that a bill entitled "an act to institute and provide for the organization of a Board of Agriculture for this State," had passed the House, and which he begged leave

to present for the concurrence of the honorable Senate.

The Senate resumed the consideration of the bill entitled "an act regulating the jurisdiction of the courts of law and altering the style and name of the courts of common pleas," when a motion was made by Mr. Hoit, that the act should take effect on the first Tuesday of July next, instead of the first Tuesday of January next, the time assigned in the present bill for its becoming a law.-- And the yeas and nays being called for,

Those who voted in the affirmative are—

Messrs. Hoit,
Pool,
Harvey,
Belding,
Merrill.

Those who voted in the negative, are—

Messrs. Long,
Brodhead,
Gould,
Hill,
Eastman,
Drew,
Dame.

So the motion did not prevail.

On motion of Mr. Merrill,

Voted, to re-consider the vote establishing fifty cents as the fee for the entry of an action, suit, &c. at the superior court; when,

On motion of Mr. Hill,

Seventy-five cents instead of *fifty*, was adopted in the amendment as the fee of the entry of each action, suit, &c. at the superior court.

And on the question, Shall this bill pass?

It was moved by Mr. Hoit, that the further consideration of it be postponed till the next June session of the Legislature.

On which motion the yeas and nays being called for,

Those who voted in the affirmative, are—

Messrs. Hoit,
Pool,
Harvey,
Belding,
Drew.

Those in the negative, are—

Messrs. Long,
Brodhead,
Gould,
Hill,
Eastman,
Dame,
Merrill.

So the motion did not prevail.

And it was ordered that the further consideration of the bill be postponed till to-morrow at ten o'clock in the forenoon.

Mr. Pool, from the committee appointed to take into consideration the petition of James F. Bald-

win, and a bill from the House of Representatives accompanying the same, reported the said bill without amendment.

Adjourned to ten o'clock to-morrow morning.

SATURDAY, DECEMBER 9, 1820.

Met according to adjournment.

Present as yesterday.

Voted, to re-consider the votes on the several resolutions in favor of Messrs. Dean, Carter, Searle and Mrs. Eliza B. Woodward.

And ordered that the said resolutions be re-committed.

A petition from Ebenezer Adams and sundry inhabitants of Dartmouth College Village, for the incorporation of an Aqueduct Association, with a bill accompanying the same, came up from the House of Representatives, and were referred to the committee on acts of incorporation.

Mr. Hoit, from the committee on the petition of Ezekiel Wentworth and others, for the removal of one of the terms of the superior court of judicature and of the court of common pleas in the county of Strafford from the places where they are now holden, reported a bill, which was read for the first time, and the second reading thereof assigned for Monday next.

The bill from the House of Representatives entitled "an act to institute and provide for the organization of a board of Agriculture in this State," was read and referred to the standing committee on agriculture and domestic manufactures.

A resolve of the House of Representatives allowing Samuel Sparhawk sixty-seven dollars and one cent in full of his account, came up, and was read and referred to the standing committee on accounts except military.

The report of the committee on the petition of James F. Baldwin, agent of the Union Canal corporation, was accepted, and the bill from the House of Representatives accompanying said petition, and reported by said committee without amendment, entitled "an act to continue in force an act passed June 19, 1813, entitled an act to grant a lottery to the proprietors of Union Canal to complete their works on Merrimack river," having had two several readings, was ordered to lie.

The said bill was afterwards, on motion of Mr. Eastman, called up, when, on the question, Shall this bill pass to a third reading? it was decided in the affirmative.

The bill was then read a third time and passed to be enacted.

The Senate then again resumed the consideration of the bill, entitled "an act regulating the jurisdiction of the courts of law, and altering the style and name of the courts of common pleas,"

and after some debate, the third reading of the same was assigned for Monday next at three o'clock in the afternoon.

Mr. Long, for the committee appointed to take into consideration the petition of sundry inhabitants of Shelburne and Shelburne Addition, with a bill from the House of Representatives accompanying the same, reported the said bill without amendment—which report was accepted, and the bill read for the second time, and the third reading thereof assigned for Monday next at ten o'clock in the forenoon.

A petition of Justus Perry, praying for an amendment to the act of June, 1816, exempting the Flint Glass Manufactory in Keene from taxation, and a bill from the House of Representatives accompanying the same, entitled “an act to continue in force an act entitled an act to exempt from taxation for a limited time the Flint Glass Factory at Keene, and certain workmen employed therein from military duty,” passed June 26, 1816, came up and was read and referred to the committee on the militia and the militia laws.

Mr. Hill, from the standing committee for engrossing bills for a third reading, reported the bill entitled “an act for granting a tract of land to the Trustees of Effingham Union Academy,” correctly engrossed, which was read for the third time and passed to be enacted.

A resolve from the House of Representatives, allowing John W. Weeks twelve dollars and seven-

ty-three cents in full of his account, came up and was referred to the standing committee on accounts except military.

A petition of sundry inhabitants of Bedford to be incorporated into an engine company, with a bill from the House of Representatives accompanying the same, entitled "an act to incorporate Isaac Riddle, jun. and others by the name of the Piscataquoag Village Fire Engine Company," was read for the first time and referred to the standing committee on acts of incorporation.

A resolve of the House of Representatives, allowing Charles Turell one dollar and fifty cents in full of his account, came up, and was referred to the standing committee on accounts except military.

A resolve of the House of Representatives, allowing George Hough one dollar and fifty cents in full of his account, was referred to the standing committee on accounts except military.

A resolve of the House of Representatives, allowing Amos A. Brewster five dollars in full of his account, came up, and was referred to the standing committee on accounts except military.

Mr. Hill presented for the consideration of the Senate the following resolution, with the usual preamble, which was read and ordered to lie.

Resolved by the Senate and House of Representatives in General Court convened, That from and after the present session of the Legislature all bills

and resolves, before they are passed and sent from either House, shall be engrossed in fair hand writing, on good linen paper of the size of foolscap, to be provided by the Secretary.

Adjourned to ten o'clock, A. M. on Monday next.

MONDAY, DECEMBER, 11, 1820.

Met according to adjournment.

The following report of a committee of the House of Representatives came up with sundry papers on the subject:

The committee on military affairs, to whom was referred the account of Pearson Cogswell for repairing the field piece belonging to the tenth regiment; also the account of James Shepard for repairing the field piece in the fifth regiment; also the account of Chandler Eastman for repairing the field piece in the eleventh regiment, report—

That by an act passed December 22, 1808, the sum of fourteen dollars was annually allowed to each company of artillery for the purpose of furnishing powder and port-fire; that by an act passed December 8, 1812, it was made the duty of each company of artillery to make at their own expense all common and ordinary repairs. By the law of June 1819, each company of artillery is to be allowed twelve dollars annually for purchasing powder, port fire, hiring horses on muster days and for the ordinary repairs of the piece and

harness. From these acts it appears the Legislature intended to make a distinction between ordinary repairs and those of a contrary description, requiring the company out of the money granted them to make the former, but not imposing on them the burthen of the latter, which would generally go to rebuilding the wheels or carriage.

The committee are satisfied the distinction is a reasonable one, and having examined the above accounts have allowed them in whole or in part as they fell within the distinction aforesaid.

And the committee conclude by reporting resolves in favour of the several accounts above referred to.

A resolve of the House of Representatives allowing Clark Hough, inspector of the sixth brigade, thirty-nine dollars and ninety-six cents in full of his account, was brought up, read and referred to the standing committee on military accounts.

A resolve from the House of Representatives allowing James Shepard eighteen dollars in full of his account, was brought up, read and referred to the standing committee on military accounts to report thereon.

Voted, that the account of Chandler Eastman, and a resolve from the honorable House of Representatives allowing him six dollars in full of the same, be referred to the standing committee on military accounts, and that they report thereon.

Voted, that the account of Robert Davis, 3d, inspector of the third brigade, and a resolve of the House of Representatives allowing him thirteen dollars and seventy-two cents in full of the same, be referred to the standing committee on military accounts, and that they report thereon.

Voted, that the account of James Burley, inspector of the first brigade, and a resolve from the House of Representatives allowing him sixteen dollars and four cents in full of the same, be referred to the standing committee on military accounts, and that they report thereon.

Voted, that the account of David Steele, inspector of the fourth brigade, and the resolve of the House of Representatives allowing him five dollars and sixty cents in full of the same, be referred to the standing committee on military accounts, and that they report thereon.

Voted, that the account of Matthew Perkins, inspector of the second brigade, and a resolve of the House of Representatives allowing him forty-two dollars and forty-two cents in full of the same, be referred to the standing committee on military accounts, and that they report thereon.

Voted, that the account of Pearson Cogswell for repairing a field piece, and a resolve of the House of Representatives allowing him thirty-six dollars and thirty-three cents in full of the same, be referred to the standing committee on military accounts, and that they report thereon.

A message was received from the House of Representatives by Mr. Sawyer, informing that the House had concurred in the amendments proposed by the Senate to the bill, entitled "an act to incorporate Henry Towle and his associates by the name of the Haverhill Aqueduct Corporation," and that the bill had been engrossed embracing those amendments, which he was requested to present.

And the said bill was signed by the President, and presented.

A vote of the House of Representatives requesting his Excellency the Governor and the honorable Council, to receive and examine the account of the town of Portsmouth against this State for expenses incurred in the late war, and that his Excellency transmit to this House as soon as may be convenient, a statement of any balance which may be due thereon, was brought up, read and ordered to lie.

Mr. Long, from the standing committee on acts of incorporation, to whom was referred the petition of Isaac Riddle and others, and the bill entitled "an act to incorporate the Piscataquog Village Fire Engine Company," reported the bill without amendment; which report was accepted, and the bill read a second time, and ordered to a third reading at ten o'clock to-morrow morning.

Mr. Long, from the same committee to whom was referred the petition of Ebenezer Adams and

others, together with a bill, entitled "an act to incorporate a company by the name of the Hanover Aqueduct Association," reported the bill without amendment; which report was accepted, and the bill read a second time, and ordered to a third reading at ten o'clock to-morrow morning.

A message from the House of Representatives by Mr. Wearc, the assistant clerk, who presented the following resolution of the House, with the usual preamble; which was read and concurred by the Senate.

Resolved, that the selectmen of the several towns and places in this State, be and they hereby are directed to insert expressly in the warrant for calling the annual town meeting on the second Tuesday in March next, among other purposes of the meeting, this article, viz: "to take the sense of the qualified voters on the subject of a revision of the Constitution," and to make return thereof to the then next session of the General Court, and that a copy of this resolve be seasonably sent to the selectmen of the several towns and places in this State, and that the Secretary cause this resolve to be published in the several newspapers printed in this State as soon as may be.

Adjourned to ten o'clock, A. M. to-morrow.

TUESDAY, DECEMBER 12, 1820.

Met according to adjournment.

Present as yesterday.

The vote of the House of Representatives, requesting his Excellency the Governor and the honorable Council, to examine the account of the town of Portsmouth for expenditures, (made during the late war) and to transmit to the House a statement of any balance which may be due thereon; was called up, and referred to Messrs. Hill, Eastman and Merrill, to report thereon.

Mr. Eastman, for the committee to whom the several resolves of the House of Representatives, allowing certain sums to the respective professors in the University of Dartmouth, were recommitted reported the said resolutions with the further amendment that the preambles to said resolutions be stricken out, which report was accepted.

The Senate resumed the considered of the resolve, allowing James Dean five hundred dollars, and voted, that the preamble thereof be stricken out.

The Senate resumed the consideration of the resolve, allowing Nathaniel H. Carter one hundred and eighty-four dollars, and voted, that the preamble thereof be stricken out.

The Senate resumed the consideration of the resolve, allowing Thomas C. Searle three hundred dollars, and voted, that the preamble thereof be stricken out.

Which several resolves as amended were

passed, and returned to the House of Representatives for their concurrence in said amendments.

The Senate resumed the consideration of the resolve, allowing Eliza B. Woodward, administratrix of the estate of William H. Woodward, deceased, four hundred seventy-one dollars and fifteen cents, and voted, that the preamble thereof be stricken out; which resolve as amended was passed, and sent to the House of Representatives for their concurrence.

Mr. Hill submitted the following preamble and resolve.

Whereas by several acts of the Legislature of this State, passed on the 27th day of June, and on the 18th and 26th days of December, in the year of our Lord one thousand eight hundred and sixteen, the charter of Dartmouth College was amended, and the number of trustees was increased from twelve to twenty-one. And whereas, after a thorough and patient investigation and hearing, and after time had been taken fully to mature this subject, the Superior Court of Judicature, the highest judicial tribunal of this State, composed of men of the first legal talents and acquirements, solemnly decided that said acts were agreeable and consonant to the letter and spirit of both the constitution of this State and to that of the United States, and as such were binding on the trustees and on the people of this State. And whereas, the Supreme Court of the United States

assumed jurisdiction in this case, and, as we believe, without giving the people of this State an opportunity to be fully heard, and without a full investigation and enquiry into the facts, decided that Dartmouth College was not a public, but a private corporation; by means of which decision, the donation of property to a large amount by the late President and Patron of that institution has been utterly lost and forfeited to the State and to the institution; and the officers of the University, appointed under the laws of the State, have been deprived of the means of remuneration for their services, and the people of this State are now called on, by an act of mercy if not of justice, to grant said officers aid from the public treasury which shall be an equivalent for such services. Therefore,

The Senate of New-Hampshire, being called on to decide on the propriety and justice of the claims for remuneration to the aforesaid officers, cannot thus decide without expressing a solemn conviction that the decision of the Supreme Court of the United States, which converted the highest public literary seminary of the State into a mere private corporation amenable to no authority for abuses of its trust and misappropriation of its funds—is incorrect and highly prejudicial to the interests of science and literature in this State.

Which was read, and assigned for consideration to-morrow morning at ten o'clock.

A message was received from the House of Representatives, by Mr. Goss, informing that the House had passed a bill, entitled "an act to alter the name of Lemuel Noyes Jackman, to Lemuel Noyes Pattee," which he was instructed to present and request the concurrence of the Senate thereto.

On motion of Mr. Eastman,

The bill, entitled "an act regulating the jurisdiction of the courts of law, and altering the style and name of the courts of common pleas," was taken up and read a third time, and on the question, Shall this bill pass? the yeas and nays were required by Mr. Brodhead.

Those who voted in the affirmative, were—

Messrs. Long,
Brodhead,
Gould,
Hill,
Eastman,
Dame,
Merrill.

Those who voted in the negative were—

Messrs. Hoit,
Pool,
Harvey,
Belding,
Drew,

Yeas 7—Nays 5.

So the bill as amended, was passed and returned to the House of Representatives for their concurrence in said amendments.

The Senate resumed the consideration of the bill for incorporating and annexing Shelburne Addition to Shelburne, in the county of Coos, which was read a third time, and passed to be enacted.

Presented.

Mr. Hill, for the committee to whom was referred the vote of the House of Representatives, requesting his Excellency the Governor and the honorable Council, to receive and examine the account of the town of Portsmouth against this State, reported, that the committee recommend a non-concurrence with the vote of the House, and the appointment of a joint committee of the Senate and House of Representatives to take said account into consideration, and report thereon.

Which report was accepted.

The question, Shall the Senate concur with the House of Representatives in the passage of their vote? was then taken, and decided in the negative.

Voted, that Mr. Pool, with such as the Senate may join, be a committee to receive and examine the account of the town of Portsmouth against this State, and that they report a statement of any balance which may be due thereon.

Sent down for concurrence.

The petition of Lemuel Noyes Jackman, and the bill from the House of Representatives, entitled "an act altering the name of Lemuel Noyes Jackman, to Lemuel Noyes Pattee," were read and referred to the standing committee on acts of incorporation to report thereon.

The Senate resumed the consideration of the bill, entitled "an act to incorporate the Piscataquog Village Fire Engine Company," which was read a third time and passed to be enacted.

Presented.

Mr. Hill presented a bill, entitled "an act granting a tract of land to New Market Wesleyan Academy" which was read a second time, and ordered to a third reading at ten o'clock to-morrow morning.

The Senate resumed the consideration of the bill, entitled "an act to incorporate the Hanover Aqueduct Association," which was read a third time and passed to be enacted.

Presented.

The bill, entitled "an act changing the place of holding the February term of the superior court of judicature, and the January term of the court of common pleas in the county of Strafford," was read and ordered to a second reading at ten o'clock to-morrow morning.

Mr. Eastman introduced a bill, entitled "an act to incorporate the Union Musical Society in

Brookfield," which was read and ordered to a second reading at 10 o'clock to-morrow morning.

On motion of Mr. Hoit,

Voted, that the adjournment of the Senate, when it takes place, shall be to half past two o'clock in the afternoon.

Adjourned accordingly.

Met according to adjournment.

The following message from his Excellency the Governor was read.

To the Senate and House of Representatives.

Gentlemen—I herewith transmit a letter from the Governor of Vermont, inclosing a resolve of the Legislature of that State, on the subject of an amendment of the constitution of the United States, proposed by the State of Pennsylvania.

SAMUEL BELL.

Concord, December 6, 1820.

STATE OF VERMONT.

Montpelier, November 9, 1820.

Sir,—In obedience to the direction of the Legislature of the State of Vermont, I herewith transmit to your Excellency, certain resolutions of that Legislature, and request the same may be laid be-

fore the Legislature of the State over which you preside.

I am, Sir, very respectfully,
your obedient servant,

RICHARD SKINNER.

His Excellency the Governor of
New-Hampshire.

STATE OF VERMONT.

In General Assembly, November 7, 1820.

Resolved, the Governor and Council concurring herein, that it is inexpedient to concur in the amendment to the Constitution of the United States, proposed to the consideration of the several States by the State of Pennsylvania, which is as follows, to wit :

Congress shall make no law to erect or incorporate any bank or other monied institution except within the District of Columbia: and every bank or other monied institution which shall be established by the authority of Congress, shall, together with its branches, and offices of discount and deposit, be confined to the District of Columbia.

Resolved, that the Governor of this State be requested to transmit copies of the foregoing resolution to the Executives of the several States, with a request that they lay the same before the Legislatures thereof.

In General Assembly, November 7, 1820.—
Resolution adopted.

Attest, WILLIAM D. SMITH, *Clerk.*

In Council, November 8, 1820.—Read and resolved to concur with the House of Representatives.

R. TEMPLE,

Secretary to Governor and Council.

A true copy. R. TEMPLE, *Secretary.*

Voted, that said communication of his Excellency, and the resolution of the Legislature of Vermont, be referred to Messrs. Hill, Hoit and Gould, and that they report thereon.

The Senate resumed the consideration of the resolve prescribing the mode of engrossing all bills and resolves, which was read, passed and sent down for concurrence.

Mr. Brodhead, for the committee to whom was referred the bill, entitled "an act in addition to and amendment of an act entitled an act relating to attornies, passed February 17, 1791," reported the same without amendment, which report was accepted, and the bill read a second time; when,

On motion of Mr. Eastman,

That the further consideration of the bill should be indefinitely postponed; the yeas and nays were required by Mr. Drew.

Those who voted for the postponement were—

Messrs. Long,

Brodhead,

Gould,

Hill,

Eastman,

Messrs. Hoit.

Pool,

Harvey,

Belding.

Dame.

Merrill.

And in the negative—

Mr. Drew,

Yeas 11—Nays 1.

So the motion prevailed

Adjourned to ten o'clock, A. M. to-morrow.

WEDNESDAY, DECEMBER, 13, 1820

Met according to adjournment.

The bill, incorporating the Union Musical Society in Brookfield, was called up and read a second time, and the third reading thereof assigned for three o'clock this afternoon.

The bill, for granting a tract of unappropriated land to the trustees of the New Market Wesleyan Academy, passed a second reading, and the third reading thereof was assigned for three o'clock in the afternoon.

Mr. Hoit, for the standing committee on military accounts, to whom were referred the account of Matthew Perkins and a resolve from the House of Representatives accompanying the same—

An account of Clark Hough and a resolve of the House of Representatives accompanying the same—

An account of James Burley, and a resolve of the House of Representatives accompanying the same—

An account of James Shepherd, and a resolve of the House of Representatives accompanying the same—

And an account of Chandler Eastman, and a resolve of the House of Representatives accompanying the same—

Reported all the said resolutions without amendments ; which report was accepted.

The several resolutions were then taken up in order, to wit :

The resolve, allowing Matthew Perkins forty-two dollars and forty-four cents in full of his account ;

The resolve allowing Clark Hough thirty-nine dollars and ninety-six cents in full of his account ;

The resolve allowing James Burley sixteen dollars and four cents in full of his account ;

The resolve allowing James Shepherd eighteen dollars in full of his account ;

The resolve allowing Chandler Eastman six dollars in full of his account ;

And were all concurred by the Senate.

Presented.

Mr. Long, for the committee to whom was referred the bill entitled an act altering the name of Lemuel Noyes Jackman to Lemuel Noyes Pattee, reported the same without amendment—which report was accepted, and the bill read a second time and ordered to a third reading at three o'clock in the afternoon.

Mr. Drew, for the standing committee on accounts, to whom was referred the account of Amos A. Brewster, and the resolve of the House of Representatives, allowing him five dollars in full of the same ;

The account of Samuel Sparhawk, and a resolve from the House of Representatives, allowing him sixty-seven dollars and one cent in full of the same ;

The account of George Hough, and a resolve from the House of Representatives, allowing him one dollar and fifty cents in full of the same ;

The account of John W. Weeks, and a resolve from the House of Representatives, allowing him twelve dollars and seventy-three cents in full of the same ;

The account of Charles Turrell, and a resolve from the House of Representatives, allowing him one dollar and fifty cents in full of the same ;

Reported said resolves without amendment—which report was accepted, and the resolves severally read and concurred in.

Presented.

Mr. Belding, from the committee to whom was referred the bill of the House of Representatives

for changing the name of Comfort Carpenter to Jonathan Carpenter, reported the same without amendment—which report was accepted, and the bill read a second time, and ordered to a third reading at three o'clock this afternoon.

The Senate resumed the consideration of the bill for changing the place of holding the February term of the superior court, and the January term of the court of common pleas in the county of Strafford, which was read a third time and passed to be enacted.

Sent down for concurrence.

The Senate resumed the consideration of the bill altering the name of Lemuel Noyes Jackman to Lemuel Noyes Pattee, which was read a third time and enacted.

Presented.

Voted, that the account of Simeon Pike for expenses incurred in healing wounds received by him while performing military duty, and the accompanying affidavits, and the resolve from the House of Representatives allowing him twenty-four dollars in full of the same, be referred to the standing committee on military accounts, and that they report thereon.

Adjourned to half past two o'clock, P. M.

Met according to adjournment.

A message was received from the House of Representatives by Mr. T. S. Abbot, informing

that the House had passed a bill entitled an act in addition to and in amendment of an act entitled an act to prevent the destruction of salmon, shad and alewives in Merrimac river and the several streams falling into the same, and for regulating and repealing certain laws heretofore made for that purpose, passed June 20, 1811—which bill with a petition accompanying the same he presented, which were referred to Messrs. Belding, Dame and Gould to report thereon.

Mr. Hoit, for the standing committee on military accounts, to whom was referred the account of Pearson Cogswell and the resolve allowing him thirty-six dollars and thirty-three cents in full of the same, reported the resolve without amendment—which report was accepted, and the resolve read and concurred.

Presented.

Mr. Hoit, for the same committee, to whom was referred the account of Robert Davis, 3d, and the resolve allowing him thirteen dollars and seventy-two cents in full of the same, reported the resolve without amendment—which report was accepted, and the resolve read and concurred.

Presented.

Voted, that the bill entitled an act granting a tract of unappropriated land to the Trustees of Newmarket Wesleyan Academy, be referred to Messrs. Eastman, Hill and Hoit for amendment, and that they report thereon.

The Senate resumed the consideration of the

bill entitled an act to alter the name of Comfort Carpenter, which was read a third time and enacted.

Presented.

The Senate resumed the consideration of the bill entitled an act to incorporate the Union Musical Society in Brookfield, which was read a third time and enacted.

Presented.

Mr. Eastman, for the committee to whom was referred the bill granting a tract of unappropriated land to the Trustees of Newmarket Wesleyan Academy, reported the same with this amendment, "provided that the location of said tract shall be subsequent to the location of the grant made to Effingham Union Academy," which report was accepted, and the bill amended agreeably to the report, was read a third time and enacted.

Presented.

Mr. Eastman presented a bill entitled "an act in addition to an act to incorporate the Charitable Fire Society in Dover," which was read, and the second reading assigned for to-morrow at ten o'clock.

Mr. Drew presented a petition of the Trustees of Alstead Academy Association, for a tract of unappropriated state lands, which was read and referred to Messrs. Hill, Eastman and Long.

Mr. Hoit, for the committee to whom was referred the consideration of the Resolutions of the Legislature of Vermont respecting certain amend-

ments in the constitution of the United States, proposed by the State of Pennsylvania, communicated to the Senate by his Excellency the Governor of this State, reported the following resolutions.

STATE OF NEW-HAMPSHIRE.

In the year of our Lord one thousand eight hundred and twenty.

Resolved by the Senate and House of Representatives in General Court convened, That it is inexpedient to concur in the amendment to the constitution of the United States proposed to the consideration of the several states, by the state of Pennsylvania, which is in the following words, to wit.

Congress shall make no law to erect or incorporate any Bank or monied institution, except within the District of Columbia; and every Bank or other monied institution which shall be established by the authority of Congress, shall, together with its branches and offices of discount and deposit, be confined to the District of Columbia.

Resolved, that the Governor of this State be requested to transmit copies of the foregoing resolution to the Executives of the several States, with a request that they lay the same before the Legislatures thereof.

Which report was accepted, and the resolution ordered to lie.

A message was received from the House of Representatives by Mr. Hubbard, informing that

the House had concurred in the amendments proposed by the Senate to the resolves in favour of James Dean, Nathaniel H. Carter and Thomas C. Searle, and that the House had voted further to amend said resolves by striking out in the body of each of them the words "as aforesaid" and inserting the words "in Dartmouth University"; in which amendments of the House the concurrence of the Senate was respectfully requested, and he withdrew.

Voted, to concur in said proposed amendments.

A message was received from the House of Representatives by Mr. Chadwick, informing that the House has passed a bill entitled an act allowing a compensation to sheriffs for returning votes for State and county officers, Electors of President and Vice-President of the United States and Representatives to Congress, which he was directed to present to the honorable Senate, and to request their concurrence therein, and he withdrew.

The Senate went into a consideration of the amendments of the House of Representatives to the several resolves in favor of James Dean, Nathaniel H. Carter and Thomas C. Searle, and concurred in said amendments.

Adjourned to ten o'clock to-morrow morning.

THURSDAY, DECEMBER 14, 1820.

Met according to adjournment.

Present as yesterday.

The Senate resumed the consideration of the bill entitled "an act in addition to an act to incorporate the Charitable Fire Society in Dover," which was read a second time, and ordered to a third reading at three o'clock in the afternoon.

The account of Benjamin Emery for the transportation of a piece of Artillery from Portsmouth to Chichester, and a resolve of the House of Representatives allowing him ten dollars in full for the same, was brought up, read and referred to the standing committee on military accounts.

The account of William Turner for expense in obtaining a field piece for the use of the seventeenth regiment, and a resolve of the House of Representatives allowing him twelve dollars in full for the same, was brought up, read and referred to the standing committee on military accounts.

Mr. Dame, for the committee appointed to take into consideration a report on the bill from the House of Representatives entitled an act allowing a compensation to sheriffs for returning votes for State and county officers, Electors of President and Vice-President of the United States and Representatives to Congress, reported that the further consideration of said bill be postponed to the next session of the Legislature—which was ac-

cepted, and on motion of Mr. Eastman the aforesaid bill was ordered to lie on the table.

Mr. Hill, of the committee to whom was referred the consideration of the petition of the Trustees of Alstead Academy Association, reported that a tract of land equal to half of a six mile square township south of latitude forty-five degrees north of any of the unappropriated lands belonging to the State be granted to the trustees for the use of said Academy. Said grant to be considered as subsequent to the grants already made to the Trustees of Effingham Union Academy and to the trustees of the New-Market Wesleyan Academy; and the land to be located and surveyed without any expense to the State.

Which report was accepted.

Mr. Hill, for the committee to whom the Governor's communication of June last relative to the suppression of intemperance, was referred, obtained leave and reported a bill entitled "an act in addition to an act entitled an act regulating licensed houses," passed June 14, 1791—which report was accepted, and the bill read for the first time, and the second reading assigned for to-morrow at ten o'clock.

Adjourned to half past two o'clock in the afternoon.

Met according to adjournment.

The resolves in favour of James Dean, Nathaniel H. Carter and Thomas C. Searle, having been

returned from the House of Representatives, engrossed agreeably to the amendments, were severally signed and presented.

The Senate resumed the consideration of the bill in addition to an act entitled "an act to incorporate the Charitable Fire Society in Dover," which was read a third time and passed to be enacted.

Sent down for concurrence.

Mr. Hoit, for the committee appointed to take into consideration the account of Simeon Pike for expenses incurred in curing wounds occasioned by an explosion of gun powder while he was on duty in the sixteenth regiment, and a resolve of the House of Representatives accompanying the same, reported as follows:

The committee on military accounts, to whom was referred the account of Simeon Pike, and a resolve from the House of Representatives allowing him twenty-four dollars in full of said account, report that they have duly considered the same, and are of opinion that it is inexpedient to concur in the passage of said resolve.

The committee further report, that the account exhibited by said Pike was for a wound he received by the explosion of a quantity of gun powder while attending a regimental muster of the sixteenth regiment, October 7, 1819, which has been attended with considerable expense and loss of

time to said Pike ; all which has been proved to the satisfaction of your committee—

That the thirty-eighth section of the militia law would seem at first view to have been intended for affording relief in cases of this kind, but on examination of the two sections immediately preceding, they are of opinion a fair construction of said section applies to cases only where detachments are required for the defence of the State.

Submitted by DANIEL HOIT,
for the committee.

Which report was accepted.

The question then occurring as to the concurrence of the Senate in the aforesaid resolve of the House, it was moved by Mr. Brodhead that the Senate do concur.

On which motion the yeas and nays were required by Mr. Hoit.

Those who voted in the affirmative are—

Messrs. Brodhead,
Poole,
Dame.

Those who voted in the negative, are—

Messrs. Gould,
Hill,
Eastman,
Hoit,
Harvey,
Belding,
Drew,
Merrill.

So the motion did not prevail.

Mr. Hill presented the petition of John West, junior, praying indemnity for losses by fire at the State Prison, which was read, when a reference of the same was ordered to the committee of the whole for consideration at eleven o'clock to-morrow morning.

Adjourned to ten o'clock to-morrow morning.

FRIDAY, DECEMBER 15, 1820.

Met according to adjournment.

On motion of Mr. Hill,

The bill reported and read yesterday for suppressing intemperance, entitled "an act in addition to an act entitled an act regulating licensed houses," passed June 14, 1791, was called up and passed a second reading, and the further consideration of it was postponed to four o'clock this afternoon.

An account of John West, junior, for notifying the honorable Abel Merrill of his election to the office of Senator of the twelfth District, and a resolve of the House of Representatives, allowing him twelve dollars in full for the same, was brought up and referred to the standing committee on accounts except military.

The account of Richard Eastman for examining records in the counties of Grafton and Coos, and a resolve from the House of Representatives allowing him three dollars in full of the same, was

brought up and referred to the standing committee on accounts except military.

The Senate resolved itself into a committee of the whole on the memorial of John West, junior, praying to be indemnified for losses sustained by fire in the workshop of the State Prison, Mr. Hoit in the chair, and Mr. West was heard by himself, and council, before the committee on the subject of his memorial; when the committee rose, and the President resuming the chair, the chairman reported that the committee having had the memorial of John West, junior under consideration had directed him to report that the prayer of said petition appeared reasonable and ought to be granted.

The bill entitled "an act to continue in force an act entitled an act to exempt from taxation for a limited time the Flint Glass Factory at Keene, and certain workmen therein from military duty," passed June 26, 1816, was called up and passed a second reading, and the third reading was assigned for three o'clock this afternoon.

The bill entitled "an act allowing a compensation to sheriffs for returning votes for State and county officers, Electors of President and Vice-President of the United States, and Representatives to Congress," passed a second reading, and the third reading was assigned for three o'clock this afternoon.

Adjourned to half past two in the afternoon.

Met according to adjournment.

The committee to whom the account of Benjamin Emery and the resolve from the House of Representatives accompanying the same was referred, reported the said resolve with the following amendment: which was in substance, that he should be allowed seven instead of ten dollars in full of his account.

Which report was accepted, and the resolution passed as amended.

The committee to whom the account of William Turner and a resolve of the House of Representatives accompanying the same was referred, reported an amendment to the said resolution; which was in substance, that instead of twelve dollars, the sum allowed by the House of Representatives, he should be allowed eight dollars in full of his account.

Which report was accepted.

The said resolution of the House of Representatives was then taken up as amended, and concurred in by the Senate.

On motion of Mr. Brodhead,

The vote of the Senate on the amended resolution of the House of Representatives in favor of Benjamin Emery was reconsidered, when it was moved by Mr. Brodhead that the Senate do concur with the House in the aforesaid resolve without amendment, which was decided in the affirmative.

The Senate resumed the consideration of the memorial of John West, junior, when Mr. Hill submitted a resolve for his relief, which was read and ordered to lie.

A bill, entitled an act allowing a compensation to sheriffs for returning votes for State and county officers, Electors of President and Vice-President of the United States, and Representatives to Congress, was read a third time, and on motion of Mr. Hoit, was indefinitely postponed.

The bill entitled "an act to continue in force an act entitled an act to exempt from taxation for a limited time the Flint Glass Factory at Keene, and certain workmen therein from military duty," passed June 26, 1816, passed a third reading, and was enacted.

The resolution declaring the inexpediency of concurring in the amendment to the Constitution of the United States, proposed to the consideration of the several States by the State of Pennsylvania was called up, and on the question shall this resolution pass? it was decided in the affirmative.

Sent down for concurrence.

On motion of Mr. Eastman,

The following was substituted for the twenty-first article of the rules of the Senate :

No person but members of the Senate and their officers, members of the Council, and members of the House of Representatives, the Secretary of State, Treasurer, and clerks of the House of Rep-

representatives, shall be admitted within the bar of the Senate, unless by invitation of the President or some member with his consent, except when the Senate shall be in committee of the whole on public hearings, when the parties, their council and witnesses shall be admitted.

When on motion of Mr. Hill, the above substituted article was amended by extending the same privilege of admission within the bar of the Senate to the Chaplain of the Legislature.

Mr. Belding, for the committee to whom was referred the petition of sundry inhabitants of this State, praying that some law may be established for the regulation of seine fishing on Merrimac river, and the bill from the House of Representatives, passed for that purpose, reported the bill without amendment.

Which report was accepted, and the bill was read a second time and ordered to a third reading at ten o'clock to-morrow morning.

Adjourned to ten o'clock to-morrow morning.

SATURDAY, DECEMBER 16, 1820.

Met according to adjournment.

Present as yesterday.

A message was received from the House of Representatives by Mr. Cutler, informing that the House had passed a bill entitled "an act to restrain the taking of unlawful interest," which he presented,

and requested the concurrence of the Senate in the passage of the same.

On motion,

The Senate resolved itself into a committee of the whole, Mr. Poole in the chair, on the bill entitled an act in addition to an act entitled "an act regulating licensed houses," passed June 14, 1791.

On motion of Mr. Hoit,

To strike out the word "quart" and insert the word "pint," in the first section, it was determined in the negative.

On motion of Mr. Eastman,

To strike out the word "county" in the second section, and insert the word "town," it was determined in the affirmative.

On motion of Mr. Hill,

To strike out the words "a tavern" in the proviso of the second section and insert the words "is heretofore provided," it was determined in the affirmative.

The committee then rose, and the chairman reported the bill as amended to the Senate.

The bill was ordered to be engrossed and read a third time at three o'clock on Monday afternoon.

A message was received from the House of Representatives by Mr. Richardson, informing that the House had passed a bill entitled an act for forming, arranging and regulating the militia, which he presented, and requested the concurrence of the Senate in the passage thereof.

The bill to restrain the taxing of unlawful interest was read, and referred to Messrs. Drew, Poole and Eastman to report thereon.

Voted, that the account of Hill and Moore and the resolve from the House of Representatives allowing them six hundred dollars and nineteen cents in full of the same, be referred to the standing committee on printers' and other accounts except military, and that they report thereon.

An address to his Excellency the Governor for the removal of sundry militia officers from their respective offices was brought up, read, and referred to the standing committee on the militia laws to report thereon.

The Senate resumed the consideration of the bill for the regulation of seine fishing in Merrimac river, which was read a third time, and passed to be enacted.

Presented.

Voted, that when the Senate adjourns it shall be to half past two o'clock, P. M.

The resolution in favour of John West, junior, was called up by Mr. Hill, who moved to amend the same by striking out all after the words "sixty-nine dollars" near the close of the resolution, and adding the words following: "and on condition that the said West shall give satisfactory security to the Warden of the State Prison, that the State shall suffer no loss in consequence of property heretofore attached by order of the Warden or

Directors of said prison in a suit commenced against said West for security of any debt which he may have owed said prison."

On motion,

Said resolve was referred to Messrs. Hill, Eastman and Merrill to report thereon.

Adjourned to half past two o'clock, P. M.

Met according to adjournment.

The bill, entitled an act for forming, arranging and regulating the militia, was read a first time and ordered to a second reading at ten o'clock Monday morning.

Mr. Hoit, from the select committee appointed to receive and equalize the inventories, reported a bill, entitled "an act for making and establishing a new proportion for the assessment of public taxes among the several towns and places within this State, and to authorize the Treasurer to issue his warrants for levying the same."

Which report was accepted, and the bill read and ordered to a second reading at ten o'clock Monday morning.

Mr. Drew, from the select committee to whom was referred the bill entitled "an act to restrain the taking of unlawful interest," reported the same without amendment.

Which report was accepted, and on motion the bill was ordered to a second reading at three o'clock on Monday afternoon.

A message was received from the House of Representatives by Mr. Weare, assistant clerk, informing that the House had concurred with the *Senate* in their amendment to the resolve in favour of William Turner; and he brought up a new resolve agreeable to said amendment, which was signed by the President, and presented.

A message was received from the House of Representatives by Mr. Tilton, informing that a bill entitled an act to exempt from taxation for a further term of five years, a certain amount of the capital stock of the Rockingham Cotton manufactory, had passed the House, and he was requested to present it to the honorable Senate for their concurrence.

A message was received from the House of Representatives by Mr. Woodman, informing that a bill entitled an act prescribing the number of judges of the court of sessions in the County of Coos, had passed the House, and that he was requested to present the same for the concurrence of the honorable Senate; and he presented it accordingly.

The said bill was read for the first time, and ordered to a second reading to-morrow at ten o'clock.

Adjourned to Monday next, ten o'clock, A. M.

MONDAY, DECEMBER, 18, 1820.

Met according to adjournment.

The bill entitled an act prescribing the number of judges of the court of sessions in the county of Coos, was read a second time, and the third reading thereof assigned for three o'clock this afternoon.

A message by Mr. Jackson was received from the House of Representatives, informing that a bill entitled an act to incorporate the Bear Camp River Company had passed that House, and requesting the concurrence of the honorable Senate therein.

Which bill and the petition on which it is founded, were read and referred to the standing committee on acts of incorporation to report thereon.

The bill, entitled an act to exempt from taxation for a further term of five years a certain amount of the capital stock of the Rockingham Cotton Manufactory, and the petition on which it is founded, were read and referred to the standing committee on acts of incorporation to report thereon.

A message by Mr. Webster was received from the House of Representatives, informing that a bill entitled an act to incorporate a company by the name of the Upper Coos Turnpike Corporation, and a bill entitled an act to incorporate a company by the name of the Pemigewasset Turnpike Corporation had passed that House, and re-

questing the concurrence of the honorable Senate in the passage of the same.

The bill to incorporate a company by the name of the Pemigewasset Turnpike corporation, and the petition on which it is founded, were read and referred to the standing committee on acts of incorporation to report thereon.

The Senate resumed the consideration of the bill for making and establishing a new proportion for the assessment of public taxes among the several towns and places within this State, and to authorize the Treasurer to issue his warrants for levying the same, which was read a second time; when a motion was made by Mr. Hoit so to amend the bill that thirty-six cents be taken from the town of Orange, and add to the town of New-Chester, and on the question shall this motion pass? it was decided in the affirmative—when motion was made by Mr. Hill that the bill be amended by deducting fifty cents from Salisbury, twenty cents from Andover, and forty cents from Boscawen, and that fifty cents be added to Weare, thirty cents to Henniker, and thirty cents to Hillsborough; that twenty-three cents be deducted from Chichester, seventy cents from Concord, twenty cents from Epsom and twenty cents from Northwood; and that fifty cents be added to Charlestown, twenty-three cents to Chesterfield, fifteen cents to Cornish, twenty-five cents to Dublin, and twenty cents to Westmoreland.

Which motion did not prevail.

The bill then passed a second reading, and the third reading was assigned for ten o'clock to-morrow morning,

Mr. Drew, for the standing committee on accounts except military, to whom the account of John West, junior, and a resolve from the House of representatives accompanying the same was referred, reported an amendment to the said resolve, which is in substance, that instead of twelve dollars, the sum allowed in said resolve of the House, the said West receive nine dollars in full of his account.

Which report was accepted.

Mr. Drew, from the same committee, to whom the account of Richard Eastman, and a resolve of the House of Representatives accompanying the same, was referred, reported the same without amendment.

Which report was accepted.

Mr. Drew, for the committee to whom the bill of the House of Representatives entitled an act to institute and provide for the organization of a board of agriculture for this State was referred, reported the same without amendment.

Which report was accepted.

A resolve was presented by Mr. Brodhead, allowing the town of Strafford a map of New Hampshire, and a volume of State Laws, and a volume of reported cases of the superior court, which was read and passed.

Sent down for concurrence.

Adjourned to half past two o'clock, P. M.

Met according to adjournment.

The bill from the House of Representatives entitled an act prescribing the number of Judges of the court of sessions in the county of Coos, was read a third time and passed to be enacted.

Presented.

Mr. Drew, for the committee on the subject, made the following report :

Your committee, to whom was referred the resolution from the House of Representatives relative to the payment of certain sums due for building the State House, &c. and the papers accompanying the same, respectively Report,

That Albe Cady and William Low, two of the the State House committee, have accounts against the State for contingent expenses, which have not been exhibited to the Legislature for adjustment, and that it is inexpedient to make an allowance for their services for the year ending June 1820, till their accounts for contingent expenses are examined and adjusted. Your committee have examined the other subjects in the report, and find them well vouched and correct, and recommend to the Senate to concur with the House of Representatives by striking out the following words and figures in their report, to wit : " that it is the opinion of your committee that Albe Cady be allowed two hundred dollars in full for his services for superintending the building of the State House and State House fence, &c. and paying out the money,

keeping the accounts from June 1819, to June session, 1820"—"That William Low be allowed in full for his services for superintending the building of the State House and fence from June 1819, to June 1820, the sum of eighty dollars"—"That Jeremiah Pecker be allowed in full for his services for superintending the building of the State House and fence from June 1819, to June 1820, the sum of thirty-five dollars"—making the sum of \$315 for superintendence from June 1819 to June 1820."

And that the following words and figures on the second page of the report be struck out, to wit:

"For compensation to the committee appointed to superintend the building the State House and fence from June 1819, to June 1820, \$315, and the following figures, \$2453 25 be struck out and \$2138 25 inserted, and that in the resolution making an appropriation for the payment of certain sums due for building the State House and State House fence," after the word "thousand" the words four hundred fifty-three be struck out and the words one hundred and thirty-eight be inserted.

Which report was accepted and ordered to lie.

A vote from the House of Representatives that the following communication from his Excellency the Governor be referred to Messrs. Richardson, Meserve, Ripley, Whittemore and T. S. Abbot, with such as the Senate may join, and that they report in what manner the laws therein mentioned shall be distributed, was brought up, read and concurred, and Mr. Brodhead joined.

To the honorable Senate and House of Representatives.

Since the last session of the Legislature I have received from the Secretary of State of the United States, for the use of the State of New-Hampshire, forty-seven copies of the acts passed at the first session of the fifteenth Congress, two hundred and forty-three copies of the acts passed at the second session of the fifteenth Congress, and two hundred and ninety-six copies of the acts passed at the first session of the sixteenth Congress, which are deposited in the office of the Secretary of this State to be disposed of as the Legislature may direct.

SAMUEL BELL.

December 16, 1820.

The bill, entitled "an act to incorporate a company by the name of the Upper Coos Turnpike Corporation," was taken up, read, and referred to the standing committee on acts of incorporation to report thereon.

The resolve allowing John West, junior, twelve dollars in full of his account for notifying Honorable Abel Merrill of his election, was taken up, and

On motion,

To amend the resolution agreeably to the report of the committee,

It was determined in the negative.

On motion,

To concur in the passage of said resolution, without amendment, it was determined in the affirmative.

Presented.

A vote from the House of Representatives, that the bill, entitled "an act regulating fees" be recommitted, was brought up, read, and concurred.

The resolution allowing Richard Eastman three dollars in full of his account, was taken up, read, and concurred.

Presented.

The bill, entitled "an act to institute and provide for the organization of a board of Agriculture for this State," was taken up, read a second time, and ordered to a third reading at ten o'clock to-morrow morning.

A resolve from the House of Representatives, "that Henry B. Chase, Moses Eastman and Elijah Belding, Esquires, be a committee to examine the lines and boundaries of Grantham and Springfield, and compare them with those laid down in their charters; and also to ascertain as near as may be, the value of the Gore which lies between said towns, and the number of settlers thereon, and by what title they consider themselves as holding their lands, and that said committee report to the Legislature in June next. And that said committee give notice to persons who may

claim said lands in such manner as they may judge proper, of the time when they will meet to make said examination," was brought up and read, *when it was,*

Voted, that said resolve and the papers accompanying the same be referred to the standing committee on acts of incorporation, and that they report thereon.

Mr. Eastman, for the committee appointed to enquire what business there is remaining which will require the attention of the Legislature the present session, and also at what time the present session may be closed, reports,

That the committee find on examination, that there are several matters still before the Legislature, which require further attention at this session, among which are a bill entitled "an act for the regulation and government of Banks in this state;" a bill entitled "an act regulating fees and repealing certain acts relative to the same;" a bill entitled "an act for forming, arranging and regulating the militia;" and a bill entitled "an act for making and establishing a new proportion for the assessment of public taxes," &c.—that owing to the forwardness at this time of the above-mentioned bills, as well as others of minor importance, which the public good requires should be acted upon, your committee are of the opinion the Legislature may be adjourned on Friday the 22d day of the present month.

Which report was accepted.

The Senate commenced the second reading of the bill entitled "an act for forming, arranging and regulating the militia, when

Mr. Eastman proposed the following amendment to the fifth section, that the words for "the term of four years" be expunged. And on the question shall this amendment be adopted, the yeas and nays were called for by Mr. Hoit.

Those who voted in the affirmative are—

Messrs. Brodhead,
Gould,
Eastman,
Poole,
Belding,
Dame.
Merrill.

Those who voted in the negative, are—

Messrs. Hill,
Hoit,
Harvey,
Drew.

Yeas 7. Nays 4.

So the motion for this amendment prevailed.

When Mr. Eastman moved further to amend the said fifth section, by striking out the words "courts of common pleas" and inserting the words "of all courts of record in this State."

And on the question for adopting said amendment, it was decided in the affirmative.

The Senate then adjourned to meet at seven o'clock this evening.

Met according to adjournment.

The Senate resumed the consideration of the bill, entitled "an act for forming, arranging and regulating the militia," and after some debate, Mr. Eastman submitted the following amendment to the sixth section of said act, by striking out the following words.

"All officers who have heretofore held commissions in the militia of this State, or any other State in the Union, for a less term than four years," and inserting the following: "all officers who have before the passing of this act, been duly commissioned in the militia of this State, or any other State in the Union, and have not been regularly discharged or superseded, and shall not hold their commission so long as to complete the term of six years." And on the question shall this amendment be adopted, it was decided in the affirmative.

And the said section passed as amended.

When Mr. Drew moved an amendment to the thirty-eighth section, that the following words after "that" in the first line should be expunged, "no physician or surgeon shall hereafter be appointed to the office of surgeon or surgeon's mate, in any regiment, unless he shall have received a diploma from some regular Medical Society or College of physicians or is a member of the New-Hampshire Medical Society;" and on the question for striking out this part of the section, the yeas and nays were required by Mr. Eastman.

Those who voted in the affirmative, are—

Messrs. Brodhead,
Gould,
Hill,
Hoit,
Pool,
Belding.

Those who voted in the negative are—

Messrs. Long,
Eastman,
Harvey,
Dame,
Merrill.

So the motion for thus amending the thirty-eighth section prevailed, and the said section passed as amended.

The following communication from his Excellency the Governor was presented by Mr. Sparhawk, the Secretary.

To the honorable Senate.

GENTLEMEN,

Having duly considered the resolve allowing to Eliza B. Woodward, executrix of the last will and testament of the honorable William H. Woodward, deceased, the sum of four hundred and seventy-one dollars and fifteen cents in full for the services of the late William H. Woodward, and in full for monies by him advanced as Secretary and Treasurer of Dartmouth University, I think it my duty to withhold my assent, and now return

the resolve for your reconsideration with my objections, to wit :

After a careful examination of the acts of the Legislature respecting Dartmouth University, I have not been able to discover in them any provision which imposes upon the State of New-Hampshire an obligation to pay the salaries of the officers of that institution, nor have I obtained from an examination of those acts, from the journals of the Legislature relative to their passage, or from any other source, any evidence that it was the intention of the Legislature to guarantee such payment.

If the Legislature did not intend by their legislative proceedings to impose, and have not through them actually imposed upon the State an obligation to pay those salaries, I can discover no ground on which any payment on that account can be claimed as a debt due from the State.

If the proposed grant is regarded not as the payment of a debt due from the State, but merely as a donation on account of loss resulting from an unexpected judicial decision on the validity of those acts, I believe it not to be expedient at a time of general pressure and embarrassment like the present, to increase the burthens necessarily imposed upon the citizens of the State for the purpose contemplated by the resolve.

SAMUEL BELL.

December 18, 1820.

The following is the resolution referred to, and accompanying his Excellency's communication aforesaid:

STATE OF NEW-HAMPSHIRE.

In the year of our Lord one thousand eight hundred and twenty.

Resolved by the Senate and House of Representatives in General Court convened, That Eliza B. Woodward, executrix of the last will and testament of the honorable William H. Woodward, deceased, have and receive out of the Treasury of this State the sum of four hundred and seventy-one dollars and fifteen cents, in full for the services of the late William H. Woodward, deceased, and in full for monies by him advanced as Secretary and Treasurer of the corporation of Dartmouth University: and the Governor is hereby authorized by warrant on the Treasurer, to draw said sum from the Treasury of this State.

In Senate, December 12, 1820.

The foregoing resolve was read and passed.

Sent down for concurrence.

JONA. HARVEY, *President.*

In the House of Representatives, December 13, 1820.

Read and concurred.

MATTHEW HARVEY, *Speaker.*

Adjourned to ten o'clock to-morrow morning.

TUESDAY, DECEMBER 19, 1820.

Met according to adjournment.

Present as yesterday.

Mr. Drew, for the standing committee on the militia and militia laws, to whom was referred the address from the House of Representatives to his Excellency the Governor for the removal of certain officers of the militia from their respective offices, together with the accompanying papers, reported said address without amendment.

Which report was accepted, and the address concurred in by the Senate.

The following is the address:

To his Excellency Samuel Bell, Captain General and Commander in Chief of the militia in the State of New-Hampshire.

The Senate and House of Representatives of said State in General Court convened, would respectfully represent to your Excellency that they have received satisfactory evidence that the following officers who have been duly commissioned to command in the militia of said State have removed from the limits of their respective regiments without having resigned their commissions, to wit: Francis Cogswell, captain of company of artillery in the second regiment; John M'Colley, ensign of the fourth company of infantry in the fifth regiment; Benjamin Dow, major of the fifteenth regiment, and Benjamin Jones, jun. ensign of the second company of infantry in the same

regiment; Joseph Prince, cornet of the company of cavalry in the seventeenth regiment; William Eaton, ensign of the fifth company of infantry in the twenty-sixth regiment; Jacob Putnam, captain of the company of artillery in the twenty-eighth regiment, and Ephraim Train, ensign of the fifth company of infantry in the same regiment; Samuel Pickernell, captain of the third company of infantry in the thirty-first regiment; Nathaniel Davis, lieutenant of the sixth company of infantry in the thirty-third regiment; and Thomas Lathrop, lieutenant of the seventh company of infantry in the thirty-seventh regiment.

The Senate and House of Representatives therefore respectfully request that the aforesaid officers may be removed from their respective commands agreeably to the constitution.

STATE OF NEW-HAMPSHIRE.

In the House of Representatives, December 15, 1820.

The foregoing address was read and passed.

Sent up for concurrence.

MATTHEW HARVEY, *Speaker.*

In Senate, December 19, 1820.

Read and concurred.

JONATHAN HARVEY, *President.*

And the said address having passed, was presented to his Excellency the Governor.

The Senate resumed the consideration of the bill, entitled "an act for forming, arranging and regulating the militia," when Mr. Hoit moved the

following amendment to the forty-fourth section, to wit: to strike out after the words "*and review once in,*" the words "*two years,*" and insert the words "*one year ;*" and on the question of agreeing to said amendments, it was decided in the affirmative ; and the said section passed as amended.

The Senate still having the bill for forming, arranging and regulating the militia, under consideration, Mr. Brodhead moved an amendment to the sixth section, that the following words after, to wit: "All physicians and surgeons on whom have been conferred the degree of Doctor of Medicine, or who shall be recommended by any regular society," be expunged.

And on the question, Shall this amendment be adopted? the yeas and nays were called for by the mover.

Those who voted in the affirmative, are—

Messrs. Brodhead,
Gould,
Hill.

Those who voted in the negative are—

Messrs. Long,
Eastman,
Hoit,
Pool,
Harvey,
Belding.
Drew.

Messrs. Dame,
Merrill.

Yeas 3. Nays 9.

So the motion did not prevail.

An amendment was moved by Mr. Hoyt to the twenty-second section, to strike out the word "brigade," and insert "regimental," and on the question being taken, the motion prevailed, and the section passed as amended.

All the sections of the bill having been read a second time, and passed with the aforesaid amendments, Mr. Drew moved the following amendment to the bill.

And be it further enacted, that if any officer or non-commissioned officer of any company, or any officer of any regiment of militia in this State, shall give either directly or indirectly, or shall in any way furnish or cause to be furnished to the soldiers of such company or regiment, any spirituous liquors on any inspection, training, or muster day, such officer or non-commissioned officer shall forfeit the sum of ten dollars for every such offence, to be recovered in an action of debt to be instituted before any justice of the peace in the county where such offence is committed; and every commissioned officer so offending shall be further amenable to a court-martial, and liable to be cashiered.

And on the question being taken to add this section to the bill, it was decided in the negative.

The bill, entitled "an act for forming, arranging and regulating the militia," was called up and passed a third reading as amended, and was returned to the House of Representatives for their concurrence in the amendments of the Senate.

The Senate took up the resolve which passed both Houses of the General Court, the present session, allowing Eliza B. Woodward, executrix of the last will and testament of the honorable William H. Woodward, deceased, the sum of four hundred seventy-one dollars and fifteen cents, and which was disapproved by his Excellency the Governor, and returned to the Senate with his objections.

The Senate proceeded to reconsider said resolve, and on the question, Shall this resolve re-pass? the yeas and nays were taken.

Those who voted in the affirmative are—

Messrs. Long,
Brodhead,
Gould,
Eastman,
Pool,
Harvey,
Drew,
Dame.
Merrill.

Those who voted in the negative, are—

Messrs. Hill,
Hoit,
Belding.

So, two thirds of the Senate voting in the affirmative, the resolve was re-passed, and sent with his Excellency's objections and the following vote of the Senate, to the House of Representatives.

STATE OF NEW-HAMPSHIRE.

In Senate, December 19, 1820.

The resolve, which passed both Houses of the General Court, the present session, allowing Eliza B. Woodward, executrix of the last will and testament of the honorable William H. Woodward, deceased, the sum of four hundred seventy-one dollars and fifteen cents in full of the services of the late William H. Woodward, deceased, and in full for monies by him advanced as Secretary and Treasurer of the corporation of Dartmouth University; having been presented to his Excellency the Governor, and by his Excellency disapproved and returned to the Senate with the accompanying objections to the same, the Senate proceeded agreeably to the constitution to reconsider said resolve, and on taking the yeas and nays on the passage of the same, it was, by two thirds of the Senate, voted to approve and re-pass said resolve.

Sent down for concurrence.

RICHARD BARTLETT, *Ass't Clerk.*

Adjourned to half-past two o'clock, P. M.

Met according to adjournment.

The Senate resumed the consideration of the bill entitled "an act to institute and provide for the

organization of a board of Agriculture for this State," which was read a third time and enacted.

Presented.

Mr. Hill, for the committee to whom was referred the resolve for the relief of John West, jun. reported the following amendment, viz. to strike out of the resolve, the words after 'dollars,' in the ninth line, and add the following, viz. "and on condition that the said West shall give satisfactory security to the Warden of the State Prison, that the State shall suffer no loss in consequence of property heretofore attached by order of the Warden or Directors of said Prison, in a suit commenced against said West, for security of any debt which he may have owed said prison."

Which report was accepted, and the amendment adopted.

The resolve, as amended, allowing John West, jun. one hundred and seventy-one dollars, as an indemnity for losses by fire at the State Prison, on certain conditions therein expressed, was read and passed, and sent down for concurrence.

Mr. Long, for the standing committee on acts of incorporation, to whom were referred the bill entitled "an act to incorporate a company by the name of the Upper Coos Turnpike Corporation," and the bill entitled "an act to incorporate a company by the name of the Pemigewasset Turnpike corporation," and the bill entitled "an act to incor-

porate the Bearcamp river company," reported the same without amendment.

Which report was accepted.

The Senate resumed the consideration of the bill from the House of Representatives, entitled "an act to restrain the taking of unlawful interest," which was read a second time, and,

On motion of Mr. Eastman,

Said bill was indefinitely postponed.

The Senate resumed the consideration of the bill for establishing a new proportion of public taxes, when a motion was made by Mr. Hill, that five dollars be taken from the proportion of Rockingham county, and added to that of Cheshire.

Which motion was decided in the negative.

On motion of Mr. Poole, to take thirty nine cents from the apportionment of Holles and add it to that of Weare, and to take forty-nine cents from the apportionment of Nottingham-West, and add twenty cents to that of Dunstable, and twenty cents to that of Weare—the yeas and nays were required by Mr. Pool.

Those who voted in the affirmative are—

Messrs. Brodhead,

Hill,

Pool,

Dame.

Those who voted in the negative are—

Messrs. Long,

Gould,

Messrs. Eastman,
Hoit,
Harvey,
Belding,
Drew,
Merrill.

So the motion did not prevail.

The bill was then read a third time, and passed to be enacted.

Sent down for concurrence.

Mr. Drew, for the committee to whom the account of Hill and Moore, and a resolve of the House of Representatives accompanying the same, was referred, reported the same without amendment.

Which report was accepted.

And the resolve aforesaid, allowing Hill and Moore six hundred and nineteen dollars and nineteen cents in full of their account, was read and concurred.

Presented.

A message came up from the House of Representatives, by Mr. Weare, the Assistant-Clerk, who presented the following resolve of the House, with sundry petitions and papers relative to the same subject.

STATE OF NEW HAMPSHIRE.

In the House of Representatives, December 19, 1820.

Resolved, that the justices of the Superior Court of Judicature be respectfully requested to

communicate to the Legislature at their next session their opinion in writing of the expediency of removing the court from the town of Charlestown to Newport or to any other town in the northern section of said county.

Sent up for concurrence.

MATTHEW HARVEY, *Speaker*.

Which was read, and on motion, the aforesaid resolution and the accompanying papers were referred to a committee, and Messrs. Drew, Belding and Dame were appointed.

The following bills from the House of Representatives, viz. a bill entitled "an act to incorporate the Bearcamp river company in Ossipee," and a bill entitled "an act to incorporate a company by the name of the Pemigewasset Turnpike corporation," and a bill entitled "an act to incorporate a company by the name of the Upper Coos Turnpike corporation"--passed a second reading without amendment, and the third reading of the same was assigned for ten o'clock to-morrow.

To which time the Senate then adjourned.

WEDNESDAY, DECEMBER 20, 1820.

Met according to adjournment.

Present as yesterday.

Mr. Long, for the standing committee on acts of incorporation, to whom were referred the petition of Josiah Stevens and others, and a bill from the

House of Representatives accompanying the same, entitled "an act to incorporate the proprietors of Claremont Bridge," reported the bill without amendment.

Which report was accepted.

Mr. Long, from the standing committee to whom was referred the resolve from the House of Representatives, appointing Henry B. Chase and others a committee to examine the lines and boundaries of Grantham and Springfield, &c. &c. &c. and to report to the legislature in June next, reported, that the committee have received sufficient evidence to warrant their saying that the present claimants have no title to the gore of land in question, and they recommend the concurrence of the Senate in the passage of the resolve.

Which report was accepted, and the resolve read and concurred.

Presented.

The bill to incorporate the proprietors of Claremont Bridge was taken up, and the first section thereof read; when, on motion of Mr. Drew to postpone the further consideration of the bill till the next session of the Legislature, the yeas and nays were called for by Mr. Drew.

Those who voted in the affirmative, are—

Messrs. Long,
Brodhead,
Eastman,
Drew,
Merrill.

Those who voted in the negative are—

Messrs. Gould,
Hill,
Hoit,
Pool,
Harvey,
Belding.

Yeas 5. Nays 6.

So the motion did not prevail.

The bill was then read a second time and ordered to a third reading at three o'clock in the afternoon.

A message was received from the House of Representatives by Mr. Parker, informing that the House had concurred in all the amendments proposed by the honorable Senate to the bill, entitled "an act for forming, arranging and regulating the militia," except that in the 27th line of the fifth and that in the sixth sections, in which the House of Representatives do not concur.

On motion of Mr. Hoit, that the Senate recede from their amendments to said fifth and sixth sections, it was determined in the affirmative.

On motion of Mr. Hoit, that the Senate concur in the passage of said fifth and sixth sections, it was determined in the affirmative.

The bill was then returned to the House of Representatives with information of the aforesaid votes of the Senate.

A message was received from the House of Representatives, by Mr. Silsby, informing that a bill, entitled "an act in addition to an act to establish a corporation by the name of the Cheshire Agricultural Society," and an act entitled "an act to annex a part of the town of Alexandria to the town of New-Chester, had passed that House, and that he was requested by the Speaker, to present them to the honorable Senate for their concurrence.

Mr. Long, for the committee to whom was referred so much of his Excellency's communication as relates to the encouragement of domestic manufactures by government—reported, that the committee have expended some considerable time on the subject referred to their consideration, and find that the limited time remaining of the present session would not be sufficient for them to originate and mature a system on which to place an object of such magnitude. Your committee are of opinion that the legislature have no means in their power at this time to offer encouragement to particular manufactures; and request to be excused from any further consideration on the subject.

Which report was accepted.

Adjourned to half past two o'clock, P. M.

Met according to adjournment.

The Senate resumed the consideration of the bill, entitled "an act to incorporate a company by

the name of the Upper Coos Turnpike corporation," which was read a third time and enacted.

Presented.

The Senate resumed the consideration of the bill entitled "an act to incorporate a company by the name of the Pemigewasset Turnpike corporation," which was read a third time and enacted.

Presented.

The Senate resumed the consideration of the bill to incorporate the Bearcamp river company, which was read a third time and enacted.

Presented.

Mr. Eastman, for the standing committee on engrossed bills, reported the bill entitled "an act in addition to an act entitled an act regulating licensed houses, passed June 14, 1791," as correctly engrossed, which bill was read a third time and passed to be enacted.

Sent down for concurrence.

Mr. Hoit introduced a bill to exempt the company of militia in the town of Chatham from military duty, which was read, but, on motion, was postponed to the next session of the Legislature.

The following resolve came up from the House of Representatives:

STATE OF NEW-HAMPSHIRE.

In the House of Representatives, December 16, 1820.

Resolved, that George Sullivan and Joseph Tilton, jun. esquires, of Exeter, and George Wingate, esquire, of Stratham, be authorized at the ex-

pense of certain petitioners of Portsmouth and Newburyport, to examine and report at the next session of the Legislature, whether the turnpike road belonging to the Hampton Causeway Turnpike corporation, has not by the provisions of the charter of said corporation become public property; whether said corporation have violated or evaded any of the provisions of said charter; whether said corporation have assumed any rights or powers not granted to them; to make an examination into the general concerns of said corporation, and to give such notice to all concerned of the time and place of attending to said investigation as they shall deem proper.

Sent up for concurrence.

MATTHEW HARVEY, *Speaker*.

Accompanying this resolve were petitions from inhabitants of Portsmouth and of Newburyport, complaining of the aforesaid corporation, and praying for legislative investigation and redress; and upon reading and considering the same, it was ordered that the said resolution and petitions be referred to the standing committee on acts of incorporation, to report thereon.

Mr. Hoit, for the standing committee on military accounts, to whom the account of David Steele for inspecting arms of the twenty-sixth and ninth regiments, and a resolve of the House of Representatives allowing him five dollars and sixty cents in full for the same, were referred, reported that it is inexpedient to concur in the passage of said re-

solve, and recommend the subject to be postponed to the next session of the Legislature.

Which report was accepted.

A petition of sundry inhabitants of Alexandria, praying to be annexed to New-Chester, and a bill from the House of Representatives accompanying the same, was brought up, read and referred to the standing committee on acts of incorporation.

The following resolve came up from the House of Representatives:

STATE OF NEW-HAMPSHIRE.

In the House of Representatives, December 20, 1820.

Resolved, that the justices of the Superior Court of Judicature be respectfully requested to communicate their opinion in writing to the Legislature at their next session on the expediency of removing the courts of law now holden at Exeter, in the county of Rockingham, to some suitable place in the westerly part of said county; and if expedient to what place said court shall be removed.

Sent up for concurrence.

MATTHEW HARVEY, *Speaker.*

And on motion that the Senate concur therein, it was decided in the affirmative.

Presented.

The Senate resumed the consideration of the bill, entitled "an act in addition to an act entitled an act to establish a corporation by the name of

the Cheshire Agricultural Society," which having had three several readings, passed to be enacted.

The Senate resumed the consideration of the bill, entitled "an act to incorporate the proprietors of Claremont Bridge," and after some time spent in debate, the further consideration of it, was postponed to eleven o'clock to-morrow forenoon.

An account of John Johnson for supplying the State House with chairs, and a resolve allowing him twelve dollars in full for the same, was brought up from the House of Representatives, and referred to the standing committee on accounts, except military.

Mr. Long, for the committee to whom the petition of the inhabitants of Portsmouth and Newburyport, and a resolve of the House of Representatives on the subject, were referred, reported the said resolve with the following amendment :

That the names of George Sullivan and Joseph Tilton, jun. esquires, of Exeter, and George Wingate, esquire, of Stratham, be stricken out, and the justices of the court of sessions for the county of Rockingham be substituted.

Which report was accepted.

The said resolution was then considered with the aforesaid amendments, passed, and returned to the House for concurrence therein.

Adjourned to ten o'clock to-morrow morning.

THURSDAY, DECEMBER 21, 1820.

The Senate met according to adjournment.

A message was received from the House of Representatives, by Mr. Turner, informing that a bill entitled "an act to annex the town of Ossi-pee-Gore to the town of Effingham," and a bill, entitled "an act empowering Jeremy Nute, to assume the name of Jeremy Washington Nute," had passed the House of Representatives, and which he begged leave to present with the petitions on which these bills were founded, for the concurrence of the honorable Senate: he presented them accordingly; and the said bills were read forthwith, and referred to the standing committee on acts of incorporation.

Mr. Drew, from the committee on accounts, except military, to whom the account of John Johnson and a resolve of the House of Representatives accompanying the same, were referred, reported the same without amendment.

Which report was accepted.

And the said resolve of the House allowing John Johnson twelve dollars in full of his account, was concurred in and passed.

Mr. Long, from the standing committee on acts of incorporation, to whom the petition of Jeremy Nute, and a bill from the House of Representatives accompanying the same, were referred, reported said bill without amendment.

Which report was accepted.

Mr. Long, from the standing committee on acts of incorporation, to whom was referred the bill entitled "an act to annex Ossipee Gore to Effingham," reported the same with this amendment, to wit, that after the words "in this state," the following words be inserted, "and eighty-five cents, the sum apportioned to Ossipee Gore for the assessment of public taxes, shall be added to Effingham, making the proportion of the town of Effingham five dollars and fifty-two cents; and that the Treasurer of this State shall issue his warrant accordingly."

Which report was accepted.

The report of the committee on the subject of the claims of Albe Cady and William Low for expenditures on the State-House and State-House fence, and the sum due to the institution of the State Prison by the State-House committee, was called up, and after some discussion re-committed.

Mr. Long, from the standing committee on acts of incorporation, to whom the following bills from the House of Representatives, viz. a bill entitled "an act to exempt from taxation for a further term of five years the capital stock of Rockingham Cotton Manufactory," and a bill entitled "an act to annex part of the town of Alexandria to the town of New-Chester," and the petitions on which they were founded, were referred, reported said bills without amendment, which were read a second time and ordered forthwith to a third reading.

The bill entitled "an act empowering Jeremy Nute to assume the name of Jeremy Washington Nute," was read a third time and enacted.

Presented.

The bill entitled "an act to annex Ossipee-Gore to Effingham," passed with the before mentioned amendment of the committee, and was returned to the House for concurrence therein.

The bill entitled "an act to exempt from taxation for a further term of five years the capital stock of the Rockingham Cotton Manufactory," was read a third time and enacted.

Presented.

The bill entitled "an act to annex part of the town of Alexandria to the town of New-Chester," was read a third time and enacted.

Presented.

Mr. Drew, for the committee to whom a resolve of the House of Representatives appropriating one thousand one hundred thirty-seven dollars and three cents for the payment of the balance due from the State-House Committee to the institution of the State Prison for labor of convicts, and authorizing his Excellency the Governor by warrant on the Treasurer to draw the amount in favor of Moses C. Pilsbury, esquire, Warden of the State Prison, for the purpose aforesaid; and a resolve of the House of Representatives appropriating the sum of two thousand four hundred and fifty-three dollars and twenty five cents for the payment of certain sums due for building the State-House and

State-House fence, and authorizing the Governor by warrant on the Treasurer to draw said sum in favor of the Agent who may be appointed to settle all the accounts relative to the State House ; and a variety of papers relative to the subject, were referred—reported as follows, viz.

That Albe Cady and William Low, two of the State-House Committee, have accounts against the State for contingent expenses, which have not yet been exhibited to the Legislature for adjustment, and that it is inexpedient to make an allowance for their services for the year ending June, 1820, till their accounts for contingent expenses are examined and adjusted ; that the committee have examined all the other matters referred to them, and find them well vouched and correctly cast, and recommend to the Senate to concur with the House of Representatives in the resolution appropriating one thousand one hundred and thirty-seven dollars and three cents for the payment of the balance due from the State-House Committee to the institution of the State Prison for the labor of convicts, and that the Senate concur with the House of Representatives in the resolution making an appropriation of the sum of two thousand four hundred fifty-three dollars and twenty-five cents, for certain sums due for building the State-House and the State-House fence, with the following amendment, by striking out after the word “thousand,” the words “four hundred and fifty-three,” and inserting the words “one hundred and thirty-eight,” the

sum stricken out being three hundred and fifteen dollars, the allowance made to the State House committee for their services for the year ending June 1820.

Which report was accepted.

The resolution of the House of Representatives appropriating one thousand one hundred and thirty-seven dollars and three cents for the payment of the balance due from the State-House committee to the institution of the State Prison, was then considered and concurred by the Senate ; and the resolution of the House of Representatives, as amended, appropriating the sum of two thousand one hundred and thirty-eight dollars, was then considered, passed and sent to the House for concurrence in the amendment.

The Senate resumed the consideration of the bill entitled "an act to incorporate the proprietors of Claremont Bridge," when Mr. Drew moved that instead of that part of the bill which authorizes the Justices of the Superior Court to appoint a committee to appraise the damages which may be sustained by the proprietor of Sumner's ferry, in consequence of the erection of said bridge, the following clause be inserted, viz. "that the sum of four thousand dollars shall be secured to the owner of said right of ferry ; payment of which sum shall be made within the term of three years from and after the passing of this act, and that the interest on said sum of four thousand dollars shall be paid at the end of each year during said term,"

Which motion did not prevail.

Mr. Eastman then made a motion, which was in substance that foot passengers should pass free of toll.

Which motion did not prevail.

The bill was then read a third time, and was enacted.

Presented.

Adjourned to half past two o'clock, P. M.

Met according to adjournment.

Mr. Eastman presented a bill entitled an act regulating fees in certain cases, which was read and referred to Messrs. Eastman, Hill and Dame to report thereon.

Mr. Eastman was, at his request, excused from serving on said committee, and Mr. Drew was appointed in his room.

Mr. Hoit submitted a resolution providing that the clerks of the Senate and the House of Representatives be directed to procure five hundred printed copies of the journals of the two Houses, with a suitable index to each, as soon as may be, and deliver the same to the Secretary of this State, and the Secretary be, and he hereby is directed as soon as may be, to cause five hundred printed copies of all the public acts and resolves passed at the present session of the Legislature to be published on good paper, with a list of private acts, and with a type corresponding with the last edition of the

laws of this State, and that he be requested to mark one copy of said journals and laws for each town in this State, one for his Excellency the Governor, one for each member of the Legislature, one for each member of the Council, one for the attorney general, and one to each of the judges of the superior court, and distribute them accordingly. Also to procure one thousand printed copies of the militia law passed the present session, with an index, as soon as may be, and lodge the same in the adjutant general's office, whose duty it shall be to distribute the same to the following officers, to wit : one copy to the captain general and each of his staff, one to each major general and his staff, one to each brigadier general and his staff, one to each field officer, one to each regimental staff officer, and one to each captain or commanding officer of a military company in this State.

Which resolve was read, passed and sent down for concurrence.

A message from the honorable House of Representatives was received by Mr. Healey, informing that a bill entitled an act to provide for the safe keeping of the arms furnished this State by the United States, and a bill entitled an act to incorporate the proprietors of the New-Ipswich Water Loom Factory, and a bill entitled an act to incorporate the trustees of Sandbornton Academy, had passed the House of Representatives, and that he was requested to present them to the honorable Senate for their concurrence. He presented them accordingly, and withdrew.

The bill providing for the safe keeping of the arms furnished this State by the United States, was read and referred to the standing committee on the militia and militia laws, to report thereon.

The bill entitled an act to incorporate the proprietors of the New Ipswich Water Loom Factory, and the bill entitled an act to incorporate the Trustees of Sandbornton Academy, were read and referred to the standing committee on acts of incorporation, to report thereon.

A message was received from the honorable House of Representatives, by Mr. Patterson, informing that the bill entitled an act for forming, arranging and regulating the militia, had been correctly engrossed as amended and signed by the Speaker, by whom he was requested to present it to the President of the honorable Senate for his signature.

A message was received from the House of Representatives by Mr. Woodman, informing that a bill which he begged leave to present entitled "an act in addition to and in amendment of an act entitled an act more effectually to secure to the citizens of this State their rights of suffrage, passed June 23, 1813," had passed the House, to which the concurrence of the honorable Senate to the same was respectfully requested. He presented it accordingly and withdrew.

And the bill was read and referred to Messrs. Eastman, Drew and Belding, to report thereon.

The committee reported said bill without amendment.

Which report was accepted.

When, on motion of Mr. Eastman, the further consideration of the bill was indefinitely postponed.

Mr. Drew, for the committee to whom was referred the bill entitled "an act regulating fees in certain cases," reported the bill with an amendment, substituting a new section in the place of the second section of said bill.

Which report was accepted, and the amendment agreed to.

Mr. Hill introduced a bill entitled "an act to constitute a new county by the name of Merrimack," which bill was read, and on motion, the further consideration thereof was postponed to the next session of the Legislature.

The bill, entitled "an act regulating fees in certain cases," was read a third time, passed and sent down for concurrence.

Adjourned to meet at seven o'clock this evening.

Met according to adjournment.

A message was received from the House of Representatives, by Mr. I. Bartlett, informing that a bill entitled "an act in addition to an act entitled an act to incorporate sundry persons by the name of the President, directors and company of

the New-Hampshire Union Bank," had passed the House of Representatives, which he was requested to present to the honorable Senate for their concurrence. He presented the same accordingly and withdrew.

A message was received from the House of Representatives by Mr. Lord, informing that a bill entitled "an act to exempt from taxation for a limited time the capital stock of the Dover Cotton Factory," and a bill entitled "an act to exempt from taxation for a limited time the capital stock of the Swanzey Factory," having passed the House of Representatives, he was requested by the Speaker to present them to the honorable Senate for their concurrence. He presented them accordingly and withdrew.

And the said bills were read and referred to the standing committee on acts of incorporation, to report thereon.

A message was received from the House of Representatives by Mr. Jackson, informing that a bill entitled "an act to exempt the capital stock of the New-Hampshire Glass Factory from taxation, and certain workmen therein employed from military duty for a limited time," having passed the House of Representatives, he was requested to present it to the honorable Senate for their concurrence. Which bill was read and referred to the standing committee on acts of incorporation, to report thereon.

Mr. Pool obtained leave and presented a bill entitled "an act to exempt from taxation for a limited time the capital stock of the Hillsborough Cotton and Woollen Factory at Hancock," which was read and referred to the standing committee on petitions for acts of incorporation, to report thereon.

Adjourned to ten o'clock to-morrow morning.

FRIDAY, DECEMBER 22, 1820.

Met according to adjournment.

Present as yesterday.

On motion of Mr. Dame,

The bill from the House of Representatives entitled "an act regulating fees, and repealing certain acts relative to the same," was taken into consideration, and referred to Messrs. Dame, Drew and Hill.

A vote of the House of Representatives, appointing Messrs. Davenport, John Stevens and Lord, with such as the Senate might join, a committee to report what compensation should be allowed to the Reverend Thomas Beede for his services as Chaplain to the Legislature during the present session—was brought up, read and concurred; and Mr. Brodhead appointed on the part of the Senate.

The bill from the House of Representatives, entitled "an act for raising thirty thousand dollars for the use of the State," and the following commu-

nication of his Excellency the Governor, enclosing an exhibit of the state of the Treasury, were read and referred to Messrs. Gould, Merrill and Belding, to report thereon.

To the honorable Senate and House of Representatives.

I herewith communicate a letter from the Treasurer of this State exhibiting a view of the state of the Treasury.

SAMUEL BELL.

December 16, 1820.

STATE OF NEW-HAMPSHIRE.

Treasury Office, Concord, Dec. 16, 1820.

His Excellency Samuel Bell,

SIR—I have the honor to transmit, enclosed, a general statement of the receipts and disbursements of the public money at the Treasury, from June 20, to December 16, 1820, and respectfully to request your Excellency that the same may be laid before the honorable the General Court, for their information.

I am, with the highest respect,

Sir, your most obedient servant,

WILLIAM PICKERING.

STATEMENT.

The Treasurer of the State of New-Hampshire to said State

DR.

1820. June 20, To balance of cash remaining in the Treasury on the 20th June 1820, agreeable to report of the Treasurer on that day made to the

General Court	9,494 72
Amounts of loans obtained from Concord Bank, and New-Hampshire Union Bank in pursuance to a resolve of the Legislature of 21st June last	10,000
Amount of dividends on stock in the United States' funds	3,531 10
Amount of cash received at the Treasury for taxes from June 20 to Dec. 16, 1820	20,821 52
	<hr/> \$ 43,847 34

CR,

By cash paid sundry orders drawn by executive on the Treasury, from June 20th, to December 16, 1820	22,788 56
Do. paid certificates for bounties on wild cats	51
Do. paid accounts for bounties on crows	42 32
Do. paid interest on Treasurer's notes to Concord and New-Hampshire Union Banks	315
Do. paid for maps of the State for sundry academies, agreeable to resolve of the Legislature, passed 23d June last	100
Balance of cash remaining in the Treasury	20,550 46
	<hr/> \$ 43,847 34

Respectfully submitted,
 WILLIAM PICKERING, Treasurer.
 Treasury Office, Concord, Dec. 16, 1820.

A message came up by Mr. Weare the Assistant-Clerk, with a vote of the House of Representatives appointing Messrs. Davenport, T. Robinson and Danforth Taylor, with such as the Senate may join, a committee to report a suitable person to preach the next Election sermon, which was read and concurred, and Mr. Brodhead appointed on the part of the Senate.

Mr. Hoit submitted the following resolution with the usual preamble :

Resolved, that Moses Eastman, Stephen Ambrose and John M'Clary, Esquires, be a committee to settle the accounts between this State and the Treasurer thereof, in the recess of the General Court, and report at the next session of the Legislature.

Which was read, passed and sent down for concurrence.

A message came up by Mr. Weare, the Assistant Clerk of the House, with the following vote :

In the House of Representatives, December 21, 1820.

Voted, that the Legislature adjourn on Saturday next, and that the clerk of the Senate, and clerk of the House of Representatives make up and certify their respective rolls accordingly—which was read and laid on the table.

Mr. Long, from the standing committee on acts of incorporation, to whom the bill from the House of Representatives entitled “an act to incorporate the proprietors of the New-Ipswich Water Loom

Factory" was referred, reported the same without amendment.

Which report was accepted, the bill read a second time, and the third reading thereof assigned for three o'clock this afternoon.

Mr. Long, for the said committee, to whom the bill, &c. from the House of Representatives entitled "an act to incorporate the Trustees of Sandbornton Academy" was referred, reported the said bill with the following amendment, viz. that the following words, making the proviso in said bill, be stricken out:

Provided that all real estate holden by said corporation by virtue of this act, shall be liable to taxation whenever such real estate shall be leased by said corporation for a term exceeding thirty years.

Which report was accepted, and on the question shall the Senate concur in passing said act as amended, it was decided in the negative. It was then ordered to lie.

Mr. Long, for the aforesaid committee, to whom was referred the bill from the House of Representatives entitled an act in addition to an act entitled an act to incorporate sundry persons by the name of the President, Directors and Company of the New-Hampshire Union Bank, reported said bill without amendment.

Which report was accepted, and the bill passed to a second reading, and the third reading thereof was assigned for three o'clock in the afternoon.

Mr. Dame, for the committee to whom the bill from the House of Representatives entitled an act regulating fees and repealing certain acts relative to the same was referred, reported the same with the following amendments, viz.

That under the article Attorney's Fee, in the second section, after the words "In every case of appearance by the defendant the prevailing party shall be allowed an attorney's fee of," the figures \$ "1, 34" be expunged, and \$ "2" substituted.

That in the same section, in the article regulating Parties' Fees, after the words "the plaintiff shall not be allowed more than five days attendance," the words "at any one term" be added.

And that in the same section in the article specifying the Sheriff's Fees, after the words "for attending the superior court of judicature per day," the figure \$ "3" be expunged, and \$ "2" substituted.

And that in the article immediately succeeding, relative to the fees of their deputies, after the words "per day" \$ "2" be stricken out and \$ "1,50" inserted.

And that the following section be added to said bill :

Section 5. *And be it further enacted*, that this act shall not take effect until the first day of February next.

Which report was accepted.

Mr. Brodhead, for the committee to whom the subject was referred, made the following report, which was read, accepted, and sent down for concurrence :

The committee to whom was referred the communication from his Excellency the Governor of the 16th instant, report, that they find two hundred and forty-three copies of the acts passed at the second session of the fifteenth Congress, and two hundred and ninety-six copies of the acts passed at the first session of the sixteenth Congress, & report that they be distributed as follows, viz. One of each of said copies to his Excellency the Governor, one of each to each member of the honorable Council, and one of each to each member of the honorable Senate and their clerks, one of each to each member of the House of Representatives, for the use of their respective towns, and one of each to each clerk of the House, one of each to each of the judges of the judicial courts, and judges of probate, one of each to the Attorney General, and each solicitor, and that the remainder, together with forty-seven copies of the acts of the first session of the fifteenth Congress, mentioned in said communication, be deposited in the Secretary's office.

A message from the House of Representatives was received by Mr. Mason, informing that a bill entitled an act for raising thirty thousand dollars for the use of the State had passed the House of Representatives, which he asked leave to present for the concurrence of the honorable Senate, and he withdrew.

Mr. Hoit obtained leave and presented a bill entitled an act to annex the town of Strafford to Senatorial District No. 5, which was read and ordered to a second reading forthwith.

The Senate resumed the consideration of the bill entitled an act for regulating fees, &c. &c. and the amendments reported by the committee, and the question was tried on the first amendment, which was decided in the negative.

The other amendments were then successively considered and all agreed to, and the bill, after debate, passed as amended, and was sent down for concurrence.

Mr. Drew, for the committee to whom was referred the bill from the House of Representatives, entitled an act to provide for the safe keeping of the arms furnished this State by the United States, reported the said bill without amendment, which was read a second time, and the third reading assigned for three o'clock in the afternoon.

Mr. Long, for the standing committee on acts of incorporation, to whom was referred the following bills from the House of Representatives, viz. A bill, entitled an act to establish a corporation by the name of the Phoenix Cotton and Paper Factory; a bill, entitled an act to exempt from taxation for a limited time the capital stock of the Dover Cotton Factory; a bill entitled an act to exempt the capital stock of the New-Hampshire Glass Factory from taxation, and certain workmen therein employed from military duty for a limited time; a bill, entitled an act to

exempt from taxation for a limited time the capital stock of the Swanzey Factory ; and the bill which originated in the Senate, entitled an act to exempt from taxation for a limited time the capital stock of the Hillsborough Cotton and Woollen Factory at Hancock ;—reported the said bills without amendment.

Which report was accepted, and the said bills passed a second reading, and were ordered for a third reading at three o'clock in the afternoon.

The Senate resumed the consideration of the bill entitled an act to incorporate the Trustees of Sandbornton Academy, and after being read a third time, it was moved that the Senate concur with the House in the passage of said bill without amendment, which was decided in the affirmative, and the bill passed to be enacted, and was presented.

A message was received from the House of Representatives by Mr. Prentiss, informing that the House had concurred in the amendments of the Senate in the resolution of the House of Representatives authorizing an enquiry as to the situation and management of the Hampton Causeway Turnpike Corporation.

Adjourned to half past two o'clock, P. M.

Met according to adjournment.

The bill entitled an act to provide for the safe keeping of the arms furnished this State by the United States was read a third time and passed to be enacted.

A message from the House of Representatives was received by Mr. Patterson, informing that a bill entitled "an act in addition to an act entitled an act for regulating towns, and the choice of town officers," had passed the House of Representatives, which he was requested to present for the concurrence of the honorable Senate, and the said bill was read and ordered to a second reading at four o'clock in the afternoon.

A resolution of the House of Representatives appropriating one thousand dollars for the education of deaf and dumb children, was read and referred to Messrs. Hoit, Eastman and Poole to report thereon.

The following bills, viz. a bill entitled an act to establish a corporation by the name of the Phoenix Cotton and Paper Factory; a bill entitled an act to exempt from taxation for a limited time the capital stock of the Dover Cotton Factory; a bill entitled an act to exempt the capital stock of the New-Hampshire Glass Factory from taxation, and certain workmen therein employed from military duty for a limited time; a bill entitled an act to exempt from taxation for a limited time the capital stock of the Swanzey Factory; and a bill entitled an act to exempt from taxation for a limited time the capital stock of the Hillsborough Cotton and Woollen Factory; were read a third time, passed to be enacted and presented.

A message was received from the House of Representatives by Mr. Bellows, informing that the House had concurred in the amendment of

the honorable Senate to the bill entitled an act to annex the town of Ossipee Gore to the town of Effingham, and he requested leave to present an engrossed bill embracing the said amendment which had passed the House of Representatives, which he presented accordingly.

A message was received from the House of Representatives by Mr. Weare, the Assistant Clerk, informing that the resolution of the Senate allowing John West, junior, towards and out of the debt of the State against him the sum of one hundred and seventy-one dollars on certain conditions and acts to be complied with and done by the said West, had been concurred in by the House of Representatives with the following amendment: that the whole of the preamble of the resolve be expunged, and that he was directed to present a resolve of the House agreeably to the resolution of the Senate thus amended, to which the concurrence of the honorable Senate was respectfully requested.

A message was received from the House of Representatives by Mr. Lord, informing that a bill entitled an act in addition to an act regulating licensed houses, passed June 14, 1791, had passed the House of Representatives, to which the concurrence of the honorable Senate was respectfully requested; and the said bill was read and ordered to a second reading at four o'clock this afternoon.

The Senate took into consideration the resolve in favor of John West, junior, as amended by the

House of Representatives, and concurred with the House in their amendment.

Presented.

The vote of the House of Representatives to adjourn on Saturday next was considered and concurred in by the Senate, and the Clerk directed to make out and certify his pay roll accordingly.

The Senate resumed the consideration of the bill entitled an act in addition to an act entitled an act to incorporate sundry persons by the name of the President, Directors and Company of the New-Hampshire Union Bank, when a motion was made by Mr. Drew that the further consideration of the bill be postponed to the next session of the Legislature; and the yeas and nays being required, those who voted in favor of the motion were—

Messrs. Harvey,
Belding,
Drew,
Dame.

Those who voted in the negative are—

Messrs. Long,
Brodhead,
Gould,
Hill,
Eastman,
Hoit,
Pool,
Merrill.

So the motion did not prevail.

Mr. Drew then moved that to the tenth section of said bill, which was read and is as follows :

And be it further enacted, that the Secretary of this State is hereby authorized and required to countersign bills for said bank to an amount equal to one half the amount of the capital of said bank, actually paid in. It shall be the duty of the Secretary to keep a record of the bills he may so countersign in pursuance of this act, describing the denomination, date, number and amount of the same, and after the amount of one half of the stock paid in has been thus countersigned by the Secretary of the State, it shall not be lawful for him to countersign any more except an equal amount of the old bills previously countersigned by him shall have been delivered up and destroyed in presence of one or more of the directors of said bank. And said bank shall pay the Secretary therefor the sum of six dollars for every thousand bills by him so countersigned," the following provision be added as an amendment, viz. "*Provided*, that this act shall not have any effect or be construed to give any authority to the corporation to issue any bills which have been issued by said corporation until all the old bills shall have been returned to the bank and burnt or destroyed in the presence of the Secretary of the State. And the fact that the bank has no old bills in circulation, shall be ascertained by the report of two commissioners, to be appointed by the Governor for that purpose." And on the question of agreeing to said amendment, the yeas and nays were required.

Those who voted in the affirmative, were—

Messrs. Harvey,
Belding.
Drew,
Dame.

Those who voted in the negative, were—

Messrs. Long,
Brodhead,
Gould,
Hill,
Eastman,
Hoit,
Pool,
Merrill.

So the motion for adopting this amendment did not prevail.

It was then moved by Mr. Long, that the Senate concur with the House in passing said bill.

Which motion prevailed, and the bill passed to be enacted, and was presented for approval.

The bill entitled an act in addition to an act entitled an act for regulating towns and the choice of town officers, was read a third time and enacted.

The bill entitled an act in addition to an act entitled an act regulating licensed houses, was read a third time and enacted.

Mr. Pool, for the committee to whom was referred the account of the town of Portsmouth against the State for expenses and military sup-

plies furnished during the late war, reported the following facts :

That the whole claim of the State of New-Hampshire against the United States for expenses incurred during the late war with Great Britain and sundry claims of expenditures and services made by citizens of said State during the said war, amounts to \$64,552 20

That in the account of the State against the United States sundry items amounting to

\$12,261 85

were rejected as inadmissible : that out of that sum the sum of \$ 11,000 88 of the claims belonging to the State were rejected as inadmissible, leaving the sum of \$1260 97 of the Portsmouth claim as inadmissible.

The amount of the Portsmouth claim as stated in their account against the State amounts to \$7,734, 83, of which has been paid out of the Treasury of this State \$5,325 04, leaving a balance unpaid of \$2,409 79, from which sum deducted \$1,260 97 as totally inadmissible, leaves a balance of \$1,148 82 due the town of Portsmouth. Which sum, from the best information your committee have been able to obtain, has been received by the State from the United States.

Which report was accepted, and the following resolve which came up from the House of Representatives, with other papers on this subject, was read and concurred in by the Senate.

STATE OF NEW-HAMPSHIRE.

In the House of Representatives, December 22, 1820.

Resolved, that the town of Portsmouth be allowed the sum of one thousand one hundred and forty-eight dollars and eighty-two cents, in full for the balance of their account, for sundry military supplies furnished the militia of this State during the late war with Great Britain, and that said sum be paid out of the Treasury.

Presented.

The following resolve of the House of Representatives was brought up by Mr. Weare, the Assistant Clerk, and was read and concurred by the Senate :

Resolved, that William Pickering, Esquire, of Concord, be authorized to receive from the Treasury of this State the sum of two thousand one hundred and thirty dollars, appropriated for the payment of certain outstanding claims against the State, which occurred for building the State House and State House fence ; which claims have been exhibited to a committee of the Legislature this session, and that he adjust those claims, and report thereon to the Legislature at the next session.

Mr. Gould, for the committee to whom the communication of his Excellency the Governor enclosing the Treasurer's report of the present state of the Treasury, and a bill from the House of Representatives entitled an act for raising thirty thousand dollars for the use of the State, reported the said bill without amendment.

Which report was accepted, and the bill passed a second and was ordered to a third reading.

Adjourned to seven o'clock this evening.

Met according to adjournment.

A resolve that the town of Bristol have and receive one volume of the last edition of the Laws of this State, and one copy of the Laws of each session of the Legislature, enacted since the publication of said volume, and that the Treasurer should furnish the same, was brought up, read and concurred.

A resolve from the House of Representatives allowing James Lord ten dollars in full of his account for transporting gun carriages from Portsmouth to Effingham for the use of the company of artillery in the twenty-seventh regiment, was brought up, read, and with the account referred to the committee on military accounts.

A resolve of the House of Representatives allowing Hill and Moore forty-two dollars and one cent in full of their account for printing, and for sundry articles of stationary for the honorable Legislature, was brought up, read and referred to the standing committee on accounts except military.

The bill entitled an act to incorporate the proprietors of the New-Ipswich Water Loom Factory, was read a third time and passed to be enacted.

A resolve of the House of Representatives allowing Richard Bartlett nineteen dollars and five cents in full of his account for engrossing public acts, &c.

A resolve allowing Albe Cady forty-one dollars in full of his account for engrossing public acts, &c.

A resolve allowing Moses L. Neal two hundred and ninety-four dollars and seventy-five cents in full of his account for copying the journals of the House of Representatives, &c.

A resolve allowing Philip Carrigain forty eight dollars and fifty cents in full of his account for maps furnished the State;

A resolve allowing Edward Philbrick three hundred and ninety-five dollars and eighty cents in full of his account for sundry articles furnished for the State House;

Were brought up, read and referred to the standing committee on accounts except military.

The Senate took into consideration a resolve of the House of Representatives allowing the Rev. Thomas Beede eighty-six dollars in compensation for his services as chaplain of the Legislature for the present session, when it was moved by Mr. Eastman that the words "eighty-six" be expunged, and the words "seventy-six" substituted.

Which motion prevailed, and the resolve passed accordingly, and was returned to the House for concurrence in the amendment.

The following resolves of the House of Representatives, viz. A resolve allowing Edward Philbrick eighty-three dollars in full of his account for his services as doorkeeper and watchman to the State House during the present session of the Legislature; a resolve allowing James Buswell eighty-three dollars in full of his account for the like services; a resolve allowing John Johnson eighty-three dollars in full of his account for like services; a resolve allowing George W. Rogers eighty-three dollars in full of his account for the like services; were brought up, read and referred, together with the accounts, to the committee on accounts except military.

The following resolve was submitted by Mr. Long :

Resolved by the Senate and House of Representatives in General Court convened, that the Adjutant and Inspector General have liberty of using one of the committee rooms in the State House for the purpose of keeping the papers and records appertaining to his office until the next session of the Legislature.

Which passed and was sent down for concurrence.

A message was received from the House of Representatives by Mr. I. Bartlett, informing that the House did not concur in the amendment of the Senate to the resolve compensating the Rev. Thomas Beede for his services as chaplain to the Legislature during the present session, when it was moved that the Senate do recede from their

amendment—and on the question being tried, it was decided in the affirmative; and the resolve was then read and concurred as it originally came from the House.

Presented

A vote of the House of Representatives came up requiring the committee appointed to nominate a suitable person to preach the next election sermon to make their report, when on motion to concur with the House in the aforesaid vote, it was decided in the negative.

The Senate then took into consideration a vote from the House empowering the Governor to nominate some suitable person to preach the next election sermon. And on the question of concurrence therein the yeas and nays were required.

Those who voted in the affirmative, are—

Messrs. Long,
Gould,
Hill,
Eastman,
Belding,
Dame.

Those who voted in the negative, are—

Messrs. Brodhead,
Hoit,
Pool,
Harvey,
Drew,
Merrill.

So the yeas and nays being equal, the motion for concurrence did not prevail.

Mr. Brodhead presented the following resolve, which was passed and sent down for concurrence:

Whereas since the distribution of the maps of New-Hampshire, and of the volumes of Laws, the town of Barrington has been divided into two towns, by the name of Barrington and Strafford: In consequence whereof said town of Strafford is deprived of the use of the map and volume of laws received by said town of Barrington from the State. Therefore,

Resolved, that the town of Strafford shall receive at the expense of the State one of Carrigan's maps of New-Hampshire; and if there are none now belonging to the State, that the said town may receive one from the proprietor and author of said map, who shall be allowed a reasonable compensation therefor. And that said town of Strafford shall receive a volume of the Laws of New-Hampshire, to be furnished by the Treasurer. And that the said town shall receive a volume of the reported cases of the superior court of judicature.

The resolution submitted by Mr. Hill on the judgment of the Supreme Court of the United States, on the subject relating to the late Dartmouth University, was called up by Mr. Brodhead, when a motion was made that the resolution pass, which was decided in the negative. When the following resolution was presented by Mr. Long:

*State of New-Hampshire, In Senate, December
22, 1820.*

Whereas certain resolutions have been introduced into the Senate of New-Hampshire tending to criminate the Supreme Court of the United States, in consequence of their decision on the Dartmouth University question. Which resolutions tend to lessen the confidence of the citizens of the United States in said court as well as the administration of the General Government. Therefore,

Resolved, that the Senate of New-Hampshire repose the strictest confidence in the integrity of the Supreme court of the United States, and decline yielding their opinion but upon full and satisfactory testimony.

On the question of considering this resolution, a motion was made by Mr. Hoit for its indefinite postponement, and the yeas and nays being required by Mr. Hill, those who voted in the affirmative are—

Messrs. Brodhead,
Hill,
Hoit,
Harvey,
Drew,
Gould,
Eastman,
Pool,
Belding,
Dame,
Merrill.

And in the negative—

Mr. Long.

So the motion prevailed.

A message was received from the House of Representatives, by Mr. Weare, the Assistant Clerk, with the following resolve and report of a committee of the House relative to the printing and distribution of the Laws and Journals of the present session.

Resolved, that the Clerk of the Senate and the Clerk of the House of Representatives be directed to procure five hundred printed copies of the Journals of the two houses as soon as may be, and deliver the same to the Secretary of State, who is hereby directed to mark one copy for each town in this State, and one for his Excellency the Governor, and each member of the Council, Senate and House of Representatives.

And the Secretary is hereby directed as soon as may be, to procure five hundred printed copies of all the public acts and resolves passed at the present session of the Legislature, with a list of private acts similar to the last edition of the Laws of this State, and that he mark one copy of said Laws for each town in this State, one copy for his Excellency the Governor, and each member of the Council, Senate and House of Representatives, one for each of the judges of the superior court and their clerks, one for each justice of the court of sessions and their clerks, one for each

judge and register of probate, and one for the attorney general and each solicitor, and distribute them accordingly.

And the said Secretary is hereby further directed to procure seven hundred printed copies of the Militia Law, passed the present session, and lodge the same in the adjutant general's office, whose duty it shall be to distribute a copy to each general, field and staff officer, and one to each captain of companies.

Provided, that the printing aforesaid shall be done by the persons designated in pursuance of the vote accepting the report of a committee, to whom was referred the subject of receiving proposals for doing the printing of the State.

The committee appointed to receive proposals for printing the Laws and Journals of the present session, have attended to that duty, and herewith transmit the following proposals received by them :

No. 1. Mr. Melcher proposes to print the Laws for two and a half cents per sheet, and the Journals for two cents per sheet.

No. 2. Mr. Hough for the same.

No. 3. Mr. Prentiss proposes to print the Laws for three cents per sheet, and the Journals for two.

No. 4. Mr. Mansur's proposal for printing the Laws is at more than three and an half cents per sheet, and for the Journals one cent and three fifths per sheet.

No. 5. Proposal from Exeter to print the Journals at a little more than two cents per sheet, but none for printing the Laws.

No. 6. Hill and Moore propose to print the whole at two cents per sheet, both Laws and Journals.

MOSES BAKER,

for the committee.

And on motion, the foregoing resolve and report were referred to a committee, and Messrs. Dame, Drew and Eastman were appointed to report thereon.

Mr. Brodhead presented a resolve declaring the inexpediency of making any public provision for an election sermon for the ensuing year,

When a motion was submitted by Mr. Hill that the Rev. Elijah Dunbar of Peterborough be appointed to preach the next election sermon, and that his Excellency the Governor be requested to notify him of his appointment; and on considering this motion, the yeas and nays were required.

Those who voted in the affirmative, were—

Messrs. Long,
Gould,
Hill,
Eastman,
Belding.
Dame.

Those who voted in the negative, were—

Messrs. Brodhead,
Hoit,
Pool,
Harvey,
Drew,
Merrill.

Six yeas and six nays—so the motion did not prevail.

When it was moved by Mr. Hill that the Rev. Joshua Chandler of Swanzey be appointed to preach the next election sermon, and that the Governor be requested to notify him of his appointment.

On the decision of this question, the yeas and nays being required, those who voted in the affirmative, were—

Messrs. Long,
Hill,
Belding,
Gould,
Eastman,
Drew.

Those who voted in the negative, were—

Messrs. Brodhead,
Pool,
Drew,
Hoit,
Harvey,
Merrill.

So the yeas and nays being equal, the motion did not prevail.

Mr. Dame, for the committee to whom was referred the resolve and report of a committee of the House of Representatives relative to the printing and distribution of the Laws and Journals of the present session, reported the following resolve.

Which report was accepted, and the resolve passed and sent down for concurrence.

STATE OF NEW-HAMPSHIRE, &c. &c.

Resolved, that the Secretary of State be instructed to employ Hill and Moore to print the Laws and Journals of the Legislature the present session, and that said Hill and Moore on furnishing said Laws and Journals shall be paid therefor at the rate of two cents per sheet for each copy of the Laws and Journals so furnished.

A message came up by Mr. Weare, the Assistant Clerk, with the following resolve and report of a committee of the House of Representatives on the subject of deaf and dumb children—which were read and referred to Messrs. Hoit, Eastman and Pool, to report thereon.

In the House of Representatives, November 22, 1820.

Voted, that Messrs. Davenport, Folsom, March, Shaw and Parker be a committee to take into consideration the report of the committee made at the last session on the subject of deaf and dumb children within this State, and that they report thereon.

MOSES L. NEAL, *Clerk.*

The within committee report, that they find on the return of deaf and dumb persons made to the Legislature in June last, the names of seventeen persons of both sexes between the ages of ten and sixteen; whose capacities are represented to be good, and who in the opinion of the committee may be proper subjects of legislative aid. They therefore ask leave to report the accompanying resolve.

STATE OF NEW-HAMPSHIRE, &c. &c.

Resolved by the Senate and House of Representatives in General Court convened, that his Excellency the Governor of this State is hereby authorized to appropriate, of any money in the Treasury of the State, such sum as he may deem proper, not exceeding one thousand dollars, for the purpose of educating deaf and dumb children in this State, at the Asylum in Hartford, Connecticut; which sum may be appropriated for the benefit of such persons, and in such manner as the Governor shall think proper. And the Governor is hereby authorized, by warrant on the Treasurer, to draw the same from the Treasury.

A vote of the House of Representatives came up concerning the distribution of the Laws of the United States, (on which subject a report had been made in the Senate,) and was concurred, and Mr. Hoit joined.

Mr. Hoit, for the committee to whom was referred the resolve of the House of Representatives appropriating one thousand dollars for the

education of deaf and dumb persons, with the accompanying papers, reported the resolve without amendment.

When, on motion of Mr. Eastman, the further consideration of the subject was postponed to the next session of the Legislature.

Adjourned to ten o'clock to-morrow morning.

SATURDAY, DECEMBER 23, 1820.

Met according to adjournment.

Mr. Drew, for the committee to whom was referred the resolve of the House of Representatives that the justices of the superior court of judicature be respectfully requested to communicate to the Legislature at their next session their opinion in writing of the expediency of removing the courts from the town of Charlestown to Newport, or to any other town in the northern section of said county, reported said resolution without amendment.

Which report was accepted, and the resolve read and concurred.

Mr. Pool submitted a resolve, providing that the acts and resolves of the present session of the Legislature, which had been directed to be published in several newspapers in this State should be also published in the Hillsborough Telegraph, the publisher to receive the same compensation therefor as is allowed to others for the like services, which passed, and was sent down for concurrence.

Mr. Drew, for the committee to whom were referred the following resolves of the House of Representatives, with the respective accounts on which they are founded, viz.

A resolve allowing Hill and Moore forty-two dollars and one cent; a resolve allowing Richard Bartlett nineteen dollars and five cents; a resolve allowing Albe Cady forty-one dollars; a resolve allowing Moses L. Neal two hundred ninety-four dollars and seventy-five cents; a resolve allowing Philip Carrigain forty-eight dollars and fifty cents; a resolve allowing James Buswell eighty-three dollars; a resolve allowing George W. Rogers eighty-three dollars; a resolve allowing John Johnson eighty-three dollars; a resolve allowing Edward Philbrick eighty-seven dollars and fifty cents; and a resolve also allowing Edward Philbrick three hundred and ninety-five dollars and eighty cents;

Reported said resolves without amendment;

Which report was accepted, and the resolves were severally considered, concurred, and

Presented.

Mr. Hoit, for the standing committee on military accounts, to whom the account of James Lord and a resolve of the House of Representatives allowing him ten dollars for the same, were referred, reported the same without amendment.

Which report was accepted, and the resolve read and concurred.

A message came up from the House of Representatives by Mr. Thayer, informing that the House

had concurred in the amendments of the Senate to the bill entitled "an act regulating fees, and repealing certain acts relative to the same," and requesting liberty to present a bill, correctly engrossed, embracing those amendments.

He presented it accordingly, when it was signed by the President and

Presented.

Mr. Hill, for the committee appointed from both Houses, to nominate a committee to revise the probate laws of this State, reported the honorable John Harris of Hopkinton, Charles H. Atherton of Amherst, and James Bartlett, esquire, of Dover.

The following resolve of the House of Representatives, and report of the judiciary committee on the subject of paupers, came up, and were referred to Messrs. Eastman, Hill and Pool to report thereon.

STATE OF NEW-HAMPSHIRE.

In the House of Representatives, December 21, 1820.

Resolved, that the honorable Levi Woodbury, Jeremiah Mason and Thomas Whipple, junior, be requested to take into consideration and report at the next session of the Legislature by bill or otherwise such measures as it will be expedient and proper for the State to adopt and pursue hereafter, in relation to the subject of paupers.

Mr. Mason, from the judiciary committee, made the following report, on so much of his Excellency's message of June last as relates to paupers, to wit :

That the committee has had that subject under consideration, and has carefully examined the statements of the selectmen of the amount of expenditures, for the support of paupers in their respective towns, from the year 1799 to the year 1820, returned to the office of the Secretary of the State in compliance with a resolve of the Legislature, passed at its last session.

The selectmen of some towns have neglected to make returns. And there are deficiencies in some of the returns of the amount of the expenditures for particular years. Notwithstanding these deficiencies the committee is of opinion, that the returns furnish data sufficient to ascertain the amount of the expenditures with as much certainty as is necessary for any practical purpose.

Where no returns have been made from certain towns in particular counties, and where there are deficiencies in the returns for certain years, the committee has allowed for such towns sums proportional to the numbers of inhabitants in such towns, and the number of inhabitants in those towns in the same county which have made returns for the whole time. In this manner the amount of the expenditure in the whole State for each year of the period embraced in the returns has been ascertained as is believed with sufficient accuracy. After supplying the deficiencies in the returns by this calculation, and dividing the whole term of twenty years into four equal periods, the returns show that the following sums were expended for

the support of paupers by the towns in the several counties in the State during those periods.

From 1799 to 1805, 1805 to 1810, 1810 to 1815, 1815 to 1820.

Rockingham	48,932	56,139	72,816	108,683
Strafford	15,856	22,129	38,115	55,055
Hillsborough	11,571	18,411	29,736	62,802
Cheshire	12,472	19,522	34,813	64,031
Grafton and Coos	2,602	5,038	10,350	34,224
Total in each period	<u>\$91,433</u>	<u>121,239</u>	<u>185,830</u>	<u>324,995</u>
The average yearly expenditure in each period	18,287	24,248	37,166	64,999

The following are the expenditures in the years 1800 and 1819.

	1800.	1819.
Rockingham	8,399	23,284
Strafford	3,104	11,605
Hillsborough	2,902	19,572
Cheshire	2,311	16,544
Grafton and Coos	564	8,974
	<u>\$17,280</u>	<u>\$79,979</u>

The sum paid annually by the county of Rockingham (being average of several years past) for the support of paupers having no settlement in any town in the State, has been fourteen hundred and thirty dollars. If the sums paid by the other counties have been equal to what has been paid by the county of Rockingham, in proportion to their respective numbers of inhabitants, the whole annual expenditure by all the counties for paupers of that description is six thousand two hundred dollars.

The returns from the towns are so deficient in the statements of what has been expended in lawsuits relative to the settlement of paupers, that it is impossible to ascertain from them with any accuracy what those expenses have been. There is however reason to believe that those expenses have increased faster even than the expenses of supporting the paupers.

The present annual expenditure for the support of paupers by towns and counties, including the expenses of lawsuits relative to their settlements, amounts to nearly one hundred thousand dollars.

The annual expenditures have during the period of the last twenty years increased more than four fold, giving a ratio of increase which will double the amount of expenditures in less than five years.

During the same period of twenty years our population has not probably increased much more than one fourth.

It is not easy to account for this rapid increase of the expenses of maintaining paupers, without calling in question the policy of our laws on this subject. During a portion of the last twenty years commerce has been depressed, and the income from agriculture lessened. But taken together it must be admitted to have been a period of prosperity. The aggregate wealth of the State has without doubt during that time greatly increased. And what is more material to the present enquiry,

there has been an almost constant demand for labour at an high price.

The policy of the laws, which make it the duty of towns or districts to provide by taxation for the support of the poor, has been doubted. It has been contended that such provision wherever adopted has tended to the rapid increase of pauperism, and that it would have been more wise to have left the poor to rely for aid on the voluntary charity of individuals. A provision by law for the comfortable support of all the poor, without discriminating between those who have been reduced to that condition by accident or misfortune, and those who have brought themselves to it by their crimes or misconduct, seems to hold out too strong an inducement to the idolent and profligate to become paupers and avail themselves of such provision.

But whatever opinion may be held on this point, it must be admitted that all who have been rendered unable to support themselves by causes not originating in their own misconduct must in some way be supported by charity, and it is sufficiently obvious that any sudden change in the laws which should deprive the poor of their claim to a maintenance from the towns where they have their settlements, might, for a considerable time at least, subject them to great distress. No such sudden change ought therefore to be attempted.

If the increase of pauperism can be attributed in some degree to an error in the principles on

which our laws for their support are founded, it may, as is believed, be attributed in a much greater degree to the injudicious manner in which the laws have been executed.

Influenced by urgent importunity, overseers of the poor often administer relief with too great facility in cases where the applicant has sufficient ability to support himself by labour. It can seldom happen in our country that a person of ability to labour cannot maintain himself by his labour. And such rare cases may be safely confided for relief to the charity of individuals.

Habitual intoxication is doubtless the most common cause of pauperism. However gratifying it may be to the feelings of the humane to have the distresses of the poor relieved, although brought upon them by this odious vice, it is believed that leaving to the care of private charity all such as shall hereafter by means of that vice become paupers, is not only consistent with justice and humanity, but would tend in no inconsiderable degree to lessen this fruitful source of pauperism.

He also reported the following bill on said subject:
AN ACT to prevent unnecessary expenses to towns in supporting paupers.

Section 1. *Be it enacted by the Senate and House of Representatives in General Court convened*, that from and after the first day of May next, no person or persons, whomsoever, between the ages of seven and seventy years, having common and ordi-

nary abilities to labour, shall be relieved or maintained by the selectmen or overseers of the poor of any town in this State at the expense of such town. *Provided nevertheless*, that in cases where by law, selectmen or overseers of the poor are authorised to bind out children, it shall be lawful for them when necessary to pay, or in behalf of their respective towns to agree or covenant to pay to the person or persons to whom they may bind any such child, a sum not exceeding fifty dollars in the whole as a compensation for receiving such child as an apprentice.

Section 2. *And be it further enacted*, that from and after the first day of May next, no person or persons who shall be reduced to poverty, or who shall become unable to labour by means or by reason of habitual drunkenness, shall be relieved or maintained by the selectmen or overseers of the poor of any town in this State at the expense of such town. *Provided nevertheless*, that the provisions of this act shall not apply to nor affect any paupers or poor person who has heretofore been supported or maintained at the expense of the town where such pauper or poor person had a settlement.

Mr. Eastman, for the committee to whom were referred the preceding resolve of the House of Representatives, and report of the judiciary committee, reported the aforesaid resolve with an amendment, that the gentlemen therein appointed be

requested to embrace in their report a revision of the probate laws of this State.

Which report was accepted.

Voted, that the report of the committee appointed to nominate persons to revise the probate laws of this State, be referred to Messrs. Eastman, Hill and Pool.

Mr. Eastman, for the committee to whom was referred the report of the committee appointed to nominate persons to revise the probate laws of this State report as follows :

The within committee ask leave to nominate honorable Levi Woodbury, Jeremiah Mason, and Thomas Whipple, junior, as a committee to report at the next session of the Legislature, by bill, a revision of the probate laws of this State, and that there be an amendment of the resolution from the House of Representatives on the subject of paupers, so as to embrace their appointment on this subject.

The following resolve was passed and sent down for concurrence.

*State of New-Hampshire, In Senate, Decemer
22, 1820.*

Resolved, that the honorable John Harris, of Hopkinton, Charles H. Atherton, esquire, of Amherst, and James Bartlett, esquire, of Dover, be a committee to revise the probate laws of this State, and report by bill to the next session of the Legislature—and that his Excellency the Gov-

ernor be requested to notify those gentlemen of their appointment.

The following address, laid on the Clerk's table by Mr. Brodhead, was presented and unanimously voted to be inserted in the journals of the Senate:

Honorable Jonathan Harvey, President,

SIR—The Senate being sensible that the duties of your important station during the present session have been arduous, and that those duties have been by you discharged with ability, impartiality and fidelity, should do violence to their feelings if they were to separate without expressing to you their unanimous approbation of your conduct as their presiding officer.

While the Senate would thus express this sentiment you will please to accept their best wishes for your future welfare, and that you may on your arrival among your family and friends, find them in health and prosperity.

To which the honorable President replied as follows:

“Gentlemen,

Having presided over your deliberations with pure and impartial intentions, but with a timid and doubtful confidence in my abilities, your vote approving my official conduct is extremely gratifying and consoling to my feelings. The able support you have so generously afforded, and the very many instances of respect and civility bestowed on me demand my grateful acknowledgements.

The prompt, zealous and unwearied attention you have paid to the various important and complicated subjects you have been called upon to consider and dispose of has made my situation in the chair easy and agreeable.

Gentlemen,

You have my best wishes that you may find your domestic concerns prosperous and happy—that the journey to your respective homes may be pleasant, and that your future prosperity and happiness may be perpetuated.”

A vote of the House of Representatives appointing Messrs. Clough, Davenport, Armor, Chandler, Willey, Wilcox, Gordon, Crosby, Taylor and T. Robinson, with such as the Senate may join, a committee to wait upon his Excellency the Governor and inform him that the business of the present session being finished, the Legislature are ready to be adjourned—was brought up, concurred, and Messrs. Drew and Pool appointed from the Senate.

Mr. Drew, for the committee, reported that he had attended to the duties of his commission, and that his Excellency, in conformity to the power vested in him by the constitution, would immediately comply with the wishes of the honorable Legislature.

Mr. Sparhawk, the Secretary of the State, came in and delivered the following message:

Mr. President,

I am directed by his Excellency the Governor, to inform the honorable Senate, that he has approved of all the bills and resolves which have been presented for his approbation the present session, except certain resolutions in favor of James Deau, Thomas C. Searle, Nathaniel H. Carter, and Eliza B. Woodward, which were returned by his Excellency to the respective Houses wherein they originated, with his objections.

I am likewise directed by his Excellency to inform the honorable Senate that agreeably to the request of the Legislature, as expressed to him by a respectable committee of both branches, and by virtue of the authority in him vested by the constitution, he now adjourns the General Court to the last Wednesday of May next.

A true copy—Attest,

PHILIP CARRIGAIN, *Clerk.*

INDEX.

COMMITTEES—REPORTS OF,

	PAGE,
On vacancy in District No. 12,	21, 22
— reporting references of the Governor's Mes-	
sage to the standing committees	26
— the unfinished business of the last session	29
— further report on do.	33
— on the bill entitled an act, &c. &c. for the	
better observation of the Lord's day	34
— the bill, &c. &c. granting additional powers	
to courts of probate	35
— petition of Amos Goodhue for an Engine Company	36
Jonathan Hansen, jr. for a Charitable	
Society	36
officers and members of Rockingham	
Lodge	36
— unlawful interest	36
— a bill entitled an act for the limitation of actions, &c.	37
— relative to the taking of bail in civil causes	38
— account of selectmen of Jefferson	39
— the account of selectmen of Canaan	39
On bill to incorporate Pythagoras Lodge No. 33,	43
For examining the votes for Electors of President	
and Vice-President of the United States	44
— conveying land of the State to Joseph Meserve, jr.	48
— prosecuting intruders on the State lands northerly	
of land granted to Dartmouth College	50
— removal of courts in county of Rockingham	55
— bill entitled an act, &c. to fix compensation for pub-	
lishing laws, &c. &c.	61
— sundry printers' accounts	62

	PAGE.
— relative to the rules of the Senate	69
— grant of land to Effingham Union Academy	70
do. to New-Market Wesleyan Academy	70
— providing for the accommodation of Electors of President and Vice-President of the U. S.	77
— Haverhill Aqueduct Company	79
— Social Library in Sandown	79
— petition of officers and members of Franklin Lodge	80
— the bill entitled an act regulating bail in civil causes	81
— the bill entitled an act regulating the jurisdiction of the courts of law and altering the style and name of the courts of common pleas	81
— resolves in favor of Messrs. Dean, Searle and Carter	87, 88, 89, 90
— in favor of Eliza B. Woodward	88
— petition of James T. Baldwin, agent of Union Canal Corporation	94
— military affairs, and for repairing field pieces in several regiments	97, 98
— petition of Isaac Riddle, &c. for the incorporation of Fire Engine Company	100
— of Ebenezer Adams for incorporation of Hanover Aqueduct Association	101
— the account of the town of Portsmouth	106, 186
— the bill entitled an act in addition, &c. &c. to an act relating to attorneys	110
— sundry military accounts	212, 215
— amendments to the constitution of the United States proposed by Pennsylvania	117
— account of Simeon Pike for expenses in curing wounds received on military duty	121
— memorial of John West, jun. in committee of the whole	124
— sundry military accounts	125
— equalizing the inventories for a new proportion for the assessment of public taxes	130
— the bill entitled an act to restrain the taking of unlawful interest	130

INDEX.

215

	PAGE.
— sundry small accounts	134
— bill entitled an act to institute and provide for the organization of a board of agriculture for this State	134
— the claims of Albe Cady and William Low, of the State House Committee	135, 136, 164, 165, 166
— further report on unfinished business	139
— incorporating proprietors of Claremont bridge	155
— Henry B. Chase and others to examine certain town lines and boundaries	155
— the encouragement of domestic manufactures by government	157
— the account of David Steele	159
— Hampton Causeway Turnpike Corporation	161
— petition of Jeremy Nute	162
— the bill entitled an act to annex Ossipee Gore to Effingham	163
— the bill, &c. to exempt from taxation the stock of Rockingham Cotton Manufactory, &c.	163
— bill, &c. to annex part of the town of Alexandria to the town of New-Chester	163
— the bill, &c. in amendment of an act, &c. &c. more effectually to secure to citizens of this State their rights of suffrage.	170
— the bill entitled an act regulating fees in certain cases	170
— the bill, &c. incorporating the proprietors of the New-Ipswich Water Loom Factory	176
— to incorporate the Trustees of Sapdbornton Academy	176
— to incorporate sundry persons by the name of the President, Directors and Company of the New-Hampshire Union Bank	176
— regulating fees and repealing certain acts relative to the same	177
— his Excellency's communication concerning certain copies of acts of Congress	178

	PAGE:
— the bill, &c. providing for the safe keeping of the arms furnished this State by the U. S.	179
— bill, &c. to establish a corporation by name of Phoenix Cotton and Paper Factory	<i>ib.</i>
— to exempt from taxation the stock of the Dover Cotton Factory	<i>ib.</i>
— the stock of the New-Hampshire Glass Factory &c. &c.	<i>ib.</i>
— the capital stock of the Swanzey Factory	<i>ib.</i>
— the capital stock of Hillsborough Cotton and Woolen Factory	180
— the account of the town of Portsmouth for expenditures during the late war	106, 186
— the bill, &c. for raising thirty thousand dollars	187
— the subject of deaf and dumb persons	199
— the opinion of justices of superior court on removing courts in Cheshire county	200
— the subject of paupers	202 to 203

COVENTION--HOUSE AND SENATE IN,

On the election of Hon. Abel Merrill to the 12th District	23
For examining and counting the votes for Electors of President and Vice-President of the U. States	41
to receive the report of joint committee on do.	44

MESSAGES FROM HIS EXCELLENCY,

On public measures for the attention of the Legislature	6
— communicating statement of votes for Senator in District No. 12	22
— resolution of Legislature of Vermont, on amendment to constitution of U. S. proposed by the State of Pennsylvania	103
— copies of the acts of Congress for the use of the State	137
— communicating a statement of the Treasury	173

INDEX.

217

	PAGE.
— the opinion of the justices of the superior court on the right of erecting a Toll Bridge in a certain case	46
— the resolve in favor of Eliza B. Woodward for services of William H. Woodward as an officer of the late Dartmouth University	112
— Adjourning the Legislature	212

BILLS THAT PASSED THE SENATE.

The bill entitled an act in addition to and in amendment of an act granting additional powers to the courts of probate, and for the regulation of trustees and guardians	36, 59
Bill in addition to an act, &c. for the better observation of the Lord's day	<i>ib.</i>
Bill, &c. to incorporate the Rockingham Lodge	39
— to incorporate the Charitable Fire Society in Dover	<i>ib.</i>
— to incorporate the Hampton Falls Fire Engine Company No. 1	38
— in addition to an act for the limitation of actions, and preventing vexatious suits	39
— to incorporate Thomas S. Bowles, &c. &c. by the name of the Pythagoras Lodge No. 33	43, 61
— to change the place of holding September term of superior court and August term of common pleas for the county of Rockingham	59
— to repeal the second section of an act entitled an act to restrain the taking of unlawful interest	63
— to incorporate Josiah Stevens, &c. by the name of the Sunapee Dam Corporation	76
— to annex part of the town of Orange to Alexandria	79
— to incorporate a Social Library in Sandown	80
— to incorporate Franklin Lodge No. 6, in Lebanon	85
— in amendment of the laws for regulating bail in civil causes	87

	PAGE.
— to continue in force an act, &c. to grant a lottery to the proprietors of Union Canal, &c. &c.	94
— for granting a tract of land to the Trustees of Effingham Union Academy	95
— to incorporate Henry Towle, &c. &c. by the name of Haverhill Aqueduct Association	100
— regulating the jurisdiction of the courts of law, and altering the style and name of the courts of common pleas	103
— annexing Shelburne Addition to Shelburne in the county of Coos	103
— to incorporate Piscataquog Village Fire Engine Company	107.
— to incorporate Hanover Aqueduct Association	ib.
— changing place of holding one term of the superior court and common pleas in the county of Strafford	114
— altering name of L. N. Jackman to L. N. Pattee	ib.
— altering the name of Comfort Carpenter	116
— to incorporate the Union Musical Society in Brookfield	ib.
— granting a tract of land to the trustees of New-Market Wesleyan Academy	116
— to incorporate the Charitable Fire Society in Dover	121
— to continue in force an act to exempt from taxation the Flint Glass Factory at Keene	126
— for the regulation of seine fishing in Merrimack River	129
— prescribing the number of judges of the court of sessions in the county of Coos	135
— for forming, arranging and regulating the militia	149, 156, 169
— to institute and provide for the organization of a board of agriculture for the State	151
— for establishing a new proportion of public taxes	153

INDEX.

219

	PAGE.
— to incorporate a company by the name of the Upper Coos Turnpike Corporation	158
— to incorporate a company by the name of Pemigewasset Turnpike Corporation	<i>ib.</i>
— to incorporate the Bear Camp River Company	<i>ib.</i>
— in addition to an act, &c. regulating licensed houses	<i>ib.</i>
— in addition to an act to establish a corporation by the name of the Cheshire Agricultural Society	161
— changing the name of J. Nute to J. Washington Nute	164
— to exempt stock of Rockingham Cotton Factory from taxation	<i>ib.</i>
— to annex part of the town of Alexandria to New-Chester	<i>ib.</i>
— to incorporate the proprietors of Claremont Bridge	166
— regulating fees in certain cases	170
— for regulating fees, &c.	179
— to incorporate trustees of Sandbornton Academy	180
— to provide for safe keeping of the arms furnished by the U. S.	<i>ib.</i>
— to establish a corporation by name of Phoenix Cotton and Paper Factory	181
— to exempt from taxation for a limited time the stock of the Dover Cotton Factory	<i>ib.</i>
— to exempt do. do. of the New-Hampshire Glass Factory, &c. &c.	<i>ib.</i>
— to exempt do. do. do. of the Swanzey Factory	<i>ib.</i>
— to exempt do. do. of the Hillsborough Cotton and Woollen Factory	<i>ib.</i>
— to incorporate sundry persons by name of President, Directors and Company of the New-Hampshire Union Bank	183, 184, 185
— for regulating towns and the choice of town officers	186
— for regulating licensed houses	<i>ib.</i>

	PAGE.
— to incorporate the proprietors of New-Ipswich Water Loom Factory	188
— in addition to an act to fix compensation for pub- lishing the laws, &c. &c.	61.

RESOLVES.

Resolve instructing Senators and Representatives in Congress to effect reduction in wages	35
— empowering Secretary to open and enter votes for Governor and Counsellors, &c. &c.	58
— in favor of Beck and Foster	62
— in favor of Bannister and Thurston	<i>ib.</i>
— in favor of John Mann	<i>ib.</i>
— providing for the security of the Capitol against fire	76
— in favor of David Barker	80
— allowing compensation to the Electors of Presi- dent and Vice President of the U. S.	85
— in favor of James Déan	90, 93, 102
— in favor of Nathaniel H. Carter	103, 118
— in favor of Thomas C. Searle	<i>ib.</i>
— in favor of Eliza B. Woodward	90, 142, 149, 150
— directing the selectmen of the several towns, &c. to insert in warrants for town meetings, &c. the subject of a revision of the Constitution	101
— prescribing the mode of engrossing bills and re- solves	110
— in favor of Matthew Perkins	112
Clark Hough	<i>ib.</i>
James Burleigh	<i>ib.</i>
James Shepherd	<i>ib.</i>
Chandler Eastman	<i>ib.</i>
Amos A. Brewster	113
Samuel Sparhawk	<i>ib.</i>
George Hough	<i>ib.</i>
John W. Weeks	<i>ib.</i>

INDEX.

221

	PAGE.
Charles Turell	113
Pearson Cogswell	115
Robert Davis, 3d,	<i>ib.</i>
Benjamin Emery	125
William Turner	125, 131
— on the inexpediency of concurring in the amend- ment to the Constitution of the U. S. proposed by the Legislature of Pennsylvania	126
— in favor of John West, jun.	137
— in favor of Richard Eastman	138
— in favor of John West, jun. in consideration of loss by fire at State Prison	151, 182
— in favor of Hill and Moore	153
— appointing Henry B. Chase and others to examine lines and boundaries between Grantham and Springfield, &c. &c.	155
— requesting opinion of justices of superior court on the expediency of removing the courts of law from Exeter, &c. &c.	160
— relative to an investigation of the concerns and management of the Hampton Causeway Turn- pike Corporation	161
— in favor of John Johnson	162
— in favor of the State House Committee and the institution of the State Prison	166
— providing for printing Journals of the two Houses	167
— in favor of the town of Portsmouth	187
— that William Pickering, esquire, adjust claims against the State for building State House and yard	<i>ib.</i>
— town of Bristol to receive Vol. Laws	188
— in favor of Rev. Thomas Beede	189, 191
— granting Adjutant and Inspector General use of room in Capitol	190
— granting town of Strafford map of New-Hampshire and volume of Laws	192

	PAGE.
— instructing Secretary to employ Hill and Moore to print Laws and Journals	198
— requesting opinion of justices of superior court on expediency of removing courts from Charles- town to Newport, &c. &c.	200
— in favor of Hill and Moore	201
of Richard Bartlett	<i>ib.</i>
Albe Cady	<i>ib.</i>
Moses L. Neal	<i>ib.</i>
Philip Carrigain	<i>ib.</i>
James Buswell	<i>ib.</i>
George W. Rogers	<i>ib.</i>
John Johnson	<i>ib.</i>
Edward Philbrick	<i>ib.</i>
Edward Philbrick	<i>ib.</i>
James Lord	<i>ib.</i>
— appointing committee to revise the probate laws	209

Standing Committees.

On acts of incorporation—

Messrs. Long,
Belding,
Brodhead.

On the militia and militia laws—

Messrs. Drew,
Pool,
Dame.

On accounts except military—

Messrs. Drew,
Pool,
Gould.

On military accounts—

Messrs. Hoit,
Belding,
Dame.

On engrossed bills—

Messrs. Hill,
Eastman,
Dame.

Committee to report references of the Governor's message to the standing committees—

Messrs. Eastman,
Dame,
Drew.

On the new valuation and proportion of public taxes—

Messrs. Hoit,
Belding,
Gould.

*Subjects postponed to the next session of the
Legislature.*

A bill, entitled "an act to constitute a new county by the name of Merrimack."

A resolve, appropriating one thousand dollars for the education of deaf and dumb persons.

The account of David Steele for military services.

A bill to exempt the company of militia in the town of Chatham from a certain part of military duty.